

OF DIVORCE

FOR ADULTERIE, AND

Marrying againe: that there is
no sufficient warrant so to do.

WITH A NOTE IN THE END;
that R. P. many yeeres since was answered.

By EDM. BUNNY Bachelour of Divinitie.



Printed at Oxford by Joseph Barnes.
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OF THE

FOR ADVANCEMENT

of the

of the

WITH A NOTE IN THE

of the



of the



Printed in Oxford by Joseph Barnes
1810



TO
THE MOST REVEREND FATHER
in God RICHARD, by the grace of God
*Archbishop of Canterbury, one of his Maiesties
most Honorable Privie Councell, Chan-
cellor of the Vniversitie of Oxford,
Primate of all England, and
Metropolitane.*

MAY it please your *Grace* to vn-
derstand, that although, being
so little knowne to your *Grace*
as I am, it may seem that I make
over bold, so to present this
Treatise ensuing: yet, as my
selfe am perswaded, divers good reasons there
be, that doe occasion me, so farre this once to
presume on your *Graces* goodnes therein; both
in respect of a former interest, and of the present
matter besides.

The former interest that now I speake of, is,
that by the place that then he was in, your *Gra-
ces* immediate Predecessor, had this Treatise in
his

his hands a good while together, many yeeres
since; and to be his, if so it should stand with his
Graces pleasure: and afterward, when hee saw
his time, approued of the publishing of it, and so
to doe at mine owne discretion. Which notwith-
standing (by occasion) I thought not so good, the
presently to doe, as to awaite a farther opportu-
nity which then began to offer it selfe vnto mee.
In the meane season it hath pleased God, to take
him of from his labours and travells here, and
thus otherwise to furnish the roome that he had.
In which alteration, besides that no way I haue
any cause to varie: I may not deny, but that now
I finde iust cause so to proceed, then I had in
the other before.

In the present matter besides, it is very plaine,
that there is some question of it: & then are such
Treatise as are thereof, in bounden duty to a-
waite the censure of such other approued iudg-
ments, as to whome in such case it doth apper-
taine. Wherein it having hitherto orderly pro-
ceeded to that wherevnto it is come already,
it was meetest so to finish the course likewise: &
so actually to acknowledge, that arising here, &
hence proceeding, it was most to submit it selfe
vnto, and to await your Graces censure.

It may be also, that even in godly pollicie (by
our Superiors) it will be thought meete, to take
some farther order to prevēt the evill, that so free
a passage of that other course may seem to threa-
ten: & the, the better opportunity that God hath
give your G. to such purpose, the lesse could I in
any duty or reasō have turn'd aside to any other.

God long preferue your Grace among vs, to
the glorie of God, to the good of his Church, &
to your owne comfort withall in him. Oxford

July 3. 1610.

*Your Graces most humble
in the Lord,*

EDM. BURN.

VNTO ALL THOSE THAT EITHER
 are entered already, or hereafter are to enter into the
holy estate of wedlocke, E. B. wisbeth as all other Christian
graces whatsoever (such as are needfull to every one in his
owne proper Calling) so now especially rightly to know, of
what force that bond should be among vs, and, how fast we
ought to hold it.



IF yet it be doubtful to any, what is the cor-
 ruption of our nature, and how often it cō-
 meth to passe thereby, that in many things
 we are hardly able to conceiue or to finde
 out, that which is sound and right indeede:
 though there be diuers other things besides, wherein wee
 might see it plainly enough, yet we neede go no farther,
 but only to that which at this present wee haue in hande:
 namely, how few of all sorts there are, that are able to see,
 how strict & insoluble the bond of wedlocke is, after that
 once it be rightly ioined together

2 The Fathers of old, before that yet the law was gi-
Gen. 2. 24. 14. ven, had among them the truth of that holy ordinance,
 how it pleased God at the first to ordaine the same: of mā
 and wife to make but one; and that he ordeined but onlie
 two, to make vp the vnitie that then he spake of. And yet
 the storie doth plainly shew, that not only the common
 sort of them, but even the better also, did not account that
 bond so straight, but that they did, (for diuers of the) take
 others besides: though yet notwithstanding it must needs
 be true withall, that they knew wel enough, & coulde not
 be ignorant, but that therein they swarved cleane, frō that
 patterne that God had given them, & from the Rule that
 therein he left them.

Abraham, &
 Sarai, Gen. 16.
 & 4. Jacob &
 Laban, Lea &
 Rachel Gen.
 29. 27. 30. and
 30. 3. 4. 9. 10.

3 When

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3 When afterward the law was given to those that followed, though nowe that matter were made a great deale more plaine vnto them, than it was before: yet they also did as little finde what they had to doe therein; as did the others that had not the light that was given vnto the. They were Hebrews themselves, & the Law was given in their own mother-tongue: the Text it selfe must needs be very plain vnto them, & some (we may hope) were diligent in the study of it, & that with vnfained desire to know it, and in the feare of God withal; and yet, it appeareth, they did not see this that we speake of. Curious they were (for diuerse of them) in many things else of lesse importance, which without any breach of the law of God they might haue omitted; but their diligence & watchfull heeding of all those Books, words, syllables, letters, & characters also (or the maner of writing thereof) & even in the number of many words how oft they were vsed, did never yet (for ought that we find in any of the) attaine vnto this. In one place it is cleere (we speake now but of the Original, that is, of the Hebrew Text it selfe; & not of the Translations that since haue beene in vse among vs) that *Moses* did no more but only make mention of an vsage that they had among them, of putting away their wiues on dislike, and marrying againe, he doth (I say) but only speake of it, and doeth nothing at all approue it vnto them, nor alloweth them so to do: and yet a sort of the learned of them in the time of Christ (and so belike of old likewise) did plainlie shew, that they did take it, that *Moses* had allowed them, or given the their liberty so to doe. Howbeit there is faire odds, betwixt a bare mentioning of an vsage among them (though then also he go not against it) & to approue the same vnto them: & in many other things, there is no question.

Deut. 24. 1. 4.
Mat 19. 7.
Mar. 10. 4.

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tion (at the least, as they might be chosen) but themselves would soone haue perceiued a lesser and a daintier difference then this. And herein they haue the Text it selfe in plaine tearmes to giue the over, in that which they would build vpon it; even the very words themselves chasing the from that persuation of theirs.

Lev. 18. 18.

4 In another place indeed the words are for them, so far forth that they may seeme, to haue the sense with them also: namely, that there they are not forbidden, to take vnto them any more but one wife at once. For the words are but only of taking a sister to the wife that a mā already hath: insomuch that it only may seeme to be forbidden; that is, a man to take vnto him a couple of sisters to haue them both in marriage together. But if the place had beene better considered, and conferred with other Scriptures, besides, then might they haue found, that the more likely sense of that place had beene to haue forbidden them, when any man had one wife already then to take another vnto her. For first, that thereby wee should be forbidden to take in marriage two naturall sisters, may seeme to be no part of the meaning: partly, because of somewhat that goeth a little before; and partly in respect of some other considerations that here wee haue in this place it selfe. That which goeth a little before, is, for that in the next verse but one before, it is forbidden to marry the brothers wife: which in equitie may serue for this also, to forbid vnto vs our wiues sister. Those considerations that we haue in this place it selfe, are the reasons that here are given: and the limitation that is vsed therewith. The reasons are two: to afflict her withall; and to vncouer her shame vpon her. Which of all others doe least agree to naturall sisters, for that, if a woman could brooke any

Lev. 18. 16.

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any other to be ioined with her, she could best away with
her owne sister in those respects: the one, of that greater
loue that by course of nature is betwixt those that are so
neere; the other, for that such are (for the most part in all
such matters) most familiarly acquainted also. The limi-
tation, *so long as shee liueth*, hath no place (without some
harder construction of it) but only in this sence that now
we speake of, for that by that former law of the brothers
wife which is set downe without any such limitation, we
are forbidden to match so neere, after death likewise. But
then, that this other should seeme to bee the sence of it, is
much more likely, both for that it doth so fitly agree to
the institution of marriage it selfe at the first: and for that
it is not, in the law, elsewhere forbidden generaly, to haue
at once more wiues than one. Vnto kings it is; but not Deut. 17. 17.
generally vnto al: and of it might they haue reasoned, that
if it were forbidden vnto kings (who, in diuers respects,
might most of all haue it allowed vnto the) then were it
much more forbiddē to al others besides. If the maner of
speech might be thought, iustly to hinder them from cō-
ceiuing such a sence thereon, because the text nameth but
a sister, though that kinde of speech may bee somewhat
strange vnto vs, to carry such a meaning with it; yet was
it not so vnto them, for that in their speech it was often
vsed: as, of ^a one lweaing to another, of ^b curtaines that
are fellowes, of ^c a paire of wings, and of ^d souldiers that
march together in their aray. In all which (and in diuers a Gen. 34. 32.
b Exod. 26. 3.
c Ezech. 1. 9. 23
d 1. 13.
d 1. 13.
places besides, as Arias Montanus, and Tremellius, and In-
nins haue noted) the Hebrew word is, *brother* or *sister* (ac-
cording as the gēder therein doth require) for that which
we say *one another*, or some such like, in things especially
that goe by paiers, couples, or fellowes. So that in this al-
so

so it is a wonder to see, that they never found their Polygamie to be forbidden, when as yet notwithstanding the institution of wedlock at the first, and the proprietie of their own tongue did lead them vnto it: and an advised consideration of the place it selfe did so strongly hold the of, and chace them away from that sense that they would giue it.

5 Since which time, there is greater light bestowed on vs: eue on vs al generally, for al matters of learning; & on many of vs, the knowledge of the Gospel also, in plentiful measure. And yet in this that now I speake of, we are almost as blinde as they. We doe not see but that it was allowed vnto the, to put away their wiues (in diuers cases) and to marry againe: and make no question, but that in one case, Christ himselfe doth allow it likewise. And wee leane so much vnto this, that many of vs are almost persuaded, that the other also is no where forbidden vnto vs. At least in this place, we never finde it, notwithstanding the help that now we haue in the knowledge of the tongue it selfe, & whatsoever diligence we haue in weighing the Text, and in conferring one place with another: no, not when by other occasion (as whe the question is, whether two sisters may be taken in wedlocke, one after another) we are specially vrged to looke into it. In so much that when as for that sense we are something crossed by those reasons and limitation that are ioined withall: yet doth that also helpe vs but little to find out the sense that now we speake of. Which for my part, I cannot see, wherevnto we may rather ascribe, then to our own corruption of nature: being so much giuen (as we are) to that kind of revenge; and, our selues to haue change likewise. And the lesse marvel, when we haue such beames in our eies already,

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dy, if we cā so hardly see, that the bond of mariage should be of any such force vnto vs, as it is indeed.

6 Herevpon, when time was, and the present occasion did so require, in a Sermon I breefly noted, that the libertie, that in these our daies many doe take, of divorcing their wiues for adulterie and marying of others, had not such warrant in the worde of God as they thought that it had: and afterward, when that was hardly taken, I did more fully deliver the same in two other Sermons, only of it. Which then also being hardly taken by some, and not so fully allowed by others, as the truth of the doctrine might well haue expected: gathering thereby, that such were like to be the iudgement of others in that point also, and hauing good cause therein to extend that warning further, I thought good since, to write a little more fully of it, and so to let it goe forth vnto all. Whether therefore thou be married already, or art hereafter to enter into it, keepe vnitie now, and make thy choice so well as thou canst: and I, for my part, would never wish thee to conceiue any hope at all, that whē once that knot is rightly knit, thou canst afterward haue any vndoubted or certaine warrant, that for the adultery of thy wife (if it should fall out, that thy case should bee so hard) thou maist be at liberty to marry againe. For the farther opening of which matter, I now refer thee to the Treatise it selfe. And so in the Lord I hartily bid thee well to fare.

Bolton-Percy. Decemb. 13. 1595.

An Advertisement to the Reader.

I Concerning this Treatise, whereas it is of such an argument, as wherein divers of great learning haue already dealt, and yet my selfe had done thus much therein many yeeres: since (though I did never publish it til now) I haue thought it needfull, gentle Reader, to acquaint thee somewhat farther with either of them: both how it came to passe, that I also haue thus far entermelled therewith; and whervpon it was, that it hath (as it were) kept in til now. That I haue thus far entermelled therewith, it arose first, out of the nature of the thing it selfe; but then, somewhat farther of, by occasion. The former of these was, that a gentleman of those parts wherein most I reside, having such a purpose with him, and having already gotten (into a little paper-book of his) the handes of sundrie of the Preachers of those parts, came to me also therewith, and desired my hand likewise: his case there being, that for adultery by his wife committed, he might sue the divorce, & marry againe. His request I denied, & gaue him some reason why so I did: but perceiving then, that I did not content him, a while after I wrote vnto him a few sheetes of paper of that matter; & so rested all the passage that was betwixt vs. The latter of them was, that the most reverend Father (that in those parts then was) being minded to Visite, requested me to preach at the beginning of that his visitation: wherein, among other things more fully prosequuted, I gaue a little touch to that point also; namely, that whereas divers were perswaded, that for adultery they might sue the divorce, and marry againe, & some accordingly so did, if the matter were wel examined, that liberty would not (in my iudgement) be found, to haue any vndoubted warrant at al in the word of God.

2 There had beene a few yeeres before, of one family
(but

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(but indeed, one of the greatest in those parts) or therunto appertaining, about fowre several persons, and those of some note besides, who had the so gotten divorce, & were married againe. And besides those (who, it may be, had else where mo fellowes also, than that heady course any waie deseryed) an other there was of more speciall reckoning thā they, who so got divorce against his wife also, & married an other: on whose behalfe, on that my warning then publicly given, I found there was more dislike conceived, than might well arise on so easie a course, as (in my iudgement) then was taken. Wherevpon I then resolved, when my time should be to occupie that place again, seeing that little warning was thought so strange then, so to vnfolde the matter it selfe whence it arose, as that the Auditorie might better perceine, there was some reason, why it was given. That time fell out to be some few months after; at which time I only dealt in that matter, and made two Sermons of it: at that time shewing, that the said presupposed liberty, so to put away their wiues for adultery, & to marry againe, was altogether without warrant in the word of God; and, divers other waies, faultie besides.

3 Herevpon the matter began to worke: at home; & abroad. At home, though most of the Auditorie were glad to heare the matter opened so farre as it was, and concealed wel of it: yet ther wanted not also, who having some of their waies called into some question thereby, were much offended; one carrying himselfe so inordinatly therein, that for it he was for a time committed. At which time (I meane, while that matter was in hearing, for which the party aforesaid was committed) there fell out this accident also. The honourable Personage, who then was in chiefe place for the execution of iustice there, by occasion objected vnto me, that although such liberty had no warrant

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in the word of God, yet did the lawes of our coutry allow it: whervnto I answered againe, that his H. might perceiue that was not so, for that neither those second womē were allowed any dowrie, nor their childre to be legitimate. His H. therin could not be said by me, but told me I was much deceived therein: till some of the Councel (then present) told him, that it was indeed as I had said.

4 See now the good nature, & plaine dealing of that Noble Gentleman, right noble in deede. A right learned man (and of good parts besides) of this our own countrie, had before imparted, on speciall suit, to the gentlemā that before we spake of, his iudgement (in writing) of the same matter, not, by putting to his hand to the gentlemans booke, as others before, nor in some few lines of his owne framing, which in such case is likewise vsed: but in a Treatise or Book, of iust volume (& the most learned, that any yet, in that course, hath written) and so, with all of that sort, of special reckoning; even an vndoubted warrant to hold on the way that themselves so much affected, and wished to be allowed vnto the. Wherein he is in deed more copious than others, to shew that many haue been of the same opinion: but in the principles or groundes of that whole building, the common reading and iudgment of others, so far prevailed with him likewise, it seemeth, that so his resolution was nothing so suitable, to that learning & iudgement of his, as otherwise it was like to haue beene. This Booke fairely written had the same gentleman (as I vnderstood) delivered to that Noble Personage, his Lord and Master, so to let him see, how cleere and warrantable that course was, that he & others then were in. This Book did that Noble Personage cause one of his attendants the to fetch: and presently he gaue the same vnto me, as giving vp therewith, all the good liking, that of that opinion hee had

had before conceived.

5 Abroad it so wrought likewise, that besides diverse others, one in the South parts (for this that we speake of, was done in Yorke) in the heart thereof, and one of the chiefe in those partes also, hearing in some sort what I had there of that matter delivered, sent vnto me to be acquainted with my notes: which I also accordingly sent; and heard, that there they were approued. But thereby and otherwise perceiuing, that not only many of the learned were carried away with the oversight & preiudice of those learned that were for that presupposed liberry; and with the reuerence of their persons (which indeed, in many good respects, was in great measure due vnto the) & that some farther notice thereof was needfull to be given to others likewise: I therevpon gathered this present Treatise, and sent it vp to my Lords Grace of Canterburie that the was; to be published also, if so it should stand with his Graces pleasure. For the matter, his answere (I heard) was, that he was of the same minde himselfe: I heard likewise, that hee imparted the same to some others of special note, & place; and that they were of the same minde also. But as touching the publishing of it, that hee thought not good so to doe: yet giving no other reason then, but that hee would haue as few controversies in the Church as might be; and that others had offered a Treatise of contrarie iudgement which he had staied (that, of the learned mans that before wee spake of; and great golden meanes vsed, to haue had it allowed) and should then be thought partiall, if nevertheless he should haue adimitted of this.

6 So there it lay for certaine yeeres, out of my hands: and I, having done my endeavor, to haue entered in by the dore of orderly proceeding; would not then attempt to clime in by a window of any inordinate course whatsoever.

ver. Neverthelesse to make some vse of that time also, whereas that learned man that before I spoke of, had by occasion written a set Treatise of that matter affirmatiuely, I thought good to acquaint him also, with that which I had conceived thereof negatiuely: and to that end both sent him a copie of that Treatise of mine, and by my letter sent withall, desired him to let me vnderstand, if hee found any thing therein that was not sound. The Treatise, & my letter withall were both delivered: but the satisfactiō that I received thence againe, was no more, but that, some reasonable time after, by another friend of mine, that Treatise of mine was sent mee againe, with this answer, that the partie to whome it was sent, saw no cause yet, said hee, to be of other opinion therein, then hee was of before; that other friend of mine in such sort advising and wishing me besides, as that thence I might easily gather, that the Treatise it selfe was not so welcome, as I had hoped it might haue beene.

7 Speeding none otherwise there, then did I soone after put his Grace in mind, whether, as that kind of loosenesse began then to grow bold and heady, it were not vnequal dealing, to stay that which by good right might wel proceed, and was needfull too, for that which might not, and were not without danger besides. To that I had no answer, neither was it material I should: but I noted, that soone after there was some farther order taken for it, by publike authority. Others also of good reckoning, I heard, began openly to deale therein: both in one of their chiefest assemblies of all this land; and, in exercise of learning, evē in the Vniversitie it selfe likewise. Wherevpon taking occasion againe, to put his Grace in mind of that Treatise of mine, whether yet his Grace could not like of the publishing of it, his Grace the readily sent it vnto me, with his
good

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good leaue to publish it all: at which time there was an other impediment (which most did stay him) cleane removed. But then me selfe was already advised of an other good opportunity, the benefit whereof, to the better furtherance of it, my hope was then, that I might in reasonable time attaine vnto: & therevpon thought it best, to stay it farther with me, till then.

8 In which meane time, some of the favorits of that liberty, by stealth or secret meanes, haue gotten a Copie of the Treatise of that learned & reverend man aforesaid, to be printed and published: and, by such meanes as they haue vsed, haue dispersed, and imparted the same vnto many. By which inordinate course of theirs, there is no question, but that diuerse may bee endangered: as making no doubt, but that, as that indeed was his iudgement; so his learning, and their inclination meeting so fitly & kindly together, the truth of the matter must needs be so also.

9 True it is, that many of the learned haue beene, and yet are, of that opinion, & accordingly haue interpreted, & yet doe, such Scriptures as they haue conceived to appertaine therevnto: but it is as true withal, that as many of the learned againe, if not far mo, haue beene, and are, of other opinion, and haue otherwise vnderstoode, & yet doe, those Scriptures aforesaid. And as some other Territories or several Churches, it may be, there are, who are of opinion, that in such case divorce may be, & marrying again: so is it as evident too that the governmēt of this Church of ours, & so of many others besides (if the same may not be cōceived of the whole generally) doth not allow it. So that in truth if we go to the opinion or iudgement of mē, there is no questiō but that the matter is very hard to bee decided: but so far, as the more generall & settled iudgmēt, may cast the ballāce: as also in those Scriptures theselues,

* * *

which

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which at the first sight doe seeme most properly to appertain therevnto, we haue the same difficulty also, vnlesse we repaire vnto those others besides, as whereby we may see, that such sense doth hardly agree to some other duties that are required.

10 The cōtroversie therefore standing in such case as it doth, and so many being so ready to take fast hold of so plausible a liberty, and so little regarding so great inconvenience as inseparably goeth with that opinion of theirs: as it was a cleere case with me before, that both the matter it selfe had need to be farther looked into, & that people did need to be warned of the danger that was therein, so it is still; and so much the more now, as this inordinate course of theirs may bee more dangerous to many of our owne Country-men here. And so far as the occasion hereof did set it selfe a working in those Northern parts of ours, & I therevpon accounted my selfe, in conscience and in dutie bound, to giue such warning as then I did: so far now, the like occasion being in these parts also so plainly given, I thought it my duty, to resume, or take vnto mee that purpose againe; & now to discharge that point of duty, so far at the least, as in my hands it should ly to do. But now seeing the matter is, among the learned, in question already, and they are much more able, thē I, that haue it in hand, & in all respects very well furnished to such a purpose, that I may not seem, now to take part, but rather to respect, eue originally, the truth it selfe, I haue thought good to commend to the presse, that very copy of that my Treatise, that was then (those many yeeres since) vnder the view, together with the Preface thereto, and the date thereof that it had before. So now I cease, and commend thee to God.

Oxford, Iun. 4. 1610.

THE CONTENTS OF THE TREATICE ensuing, according to the severall Sections thereof.

THe Argument of the whole Treatise following: and, that there bee two sorts of places whereon those of the learned do rest, that are for Divorce or Adultery, a marrying againe, Sect. 1.

What those places are whereon so they build. Sect. 2.

How ready divers are, without any farther enquirie first made, to rest thereon. Sect. 3.

That such as are of that opinion haue little ground-worke even in their Leaders, for that they are so much crossed by others as therein they are. Sect. 4.

How doubtfull resolutions theselues also for that matter haue. Sect. 5.

Vpon how weake reasons they haue growne to such resolution. Sect. 6.

What Protestations they vse withall. Sect. 7.

What we are to thinke thereof: namely, that where such things go with all, there is no likelyhood to finde any certaintie of Doctrine whereon to build (especially, in so weighty a case as this.) Sect. 8.

Briefly declared that those places do little helpe: & that they do plainly mistake those two that seemed to be strongest for them. Sect. 9.

How those places of Scripture are taken by them. Sect. 10.

That, in such sort taking those places (it may well be) they did mistake them: both that of Deutrronomie. Sect. 11.

And that other of Malachie also. Sect. 12.

What our selues are to gather, on that their so taking of them. Sect. 13.

In those places that most are for marrying againe, that they are so crossed by others, that those also are, likely to helpe them but little. Sect. 14.

How farre they may be charged therein: namely, that their owne defectes are such, as well may make their iudgement suspected. Sect. 15.

How weakly they reason in such things as are in question, and so of the substance of the matter it selfe. Sect. 16.

How weakly they reason likewise in such things as are but accidentarie thereunto. Sect. 17.

How weakly they reason on certaine other things also, as are of such a kinde or so neere unto the, as that thence they draw certain reasons also. Sect. 18.

How, when they come the word it selfe, they much mistake it. Sect. 19.

That on some places also they gather amisse: first Erasmus. Sect. 20.

Then, M^r Beza also. Sect. 21.

How weakly they do reason likewise on the authority of men. Sect. 22.

That they haue diuers inconvenient and hard speeches besides: especially Erasmus (who, in this age of ours, was if not the first, yet the greatest motioner of this matter) Sect. 23.

Then also, certaine others of that company. Sect. 24.

In the places themselves, first of that sense that they conceiue of them. Sect. 25.

Then, what we may thinke to be their meaning in deed: and first of that in the fist of S. Matthew. Sect. 26.

Then, of that other place in the 19. of the said S. Matthew. Sect. 27.

In such doubts as may be conceived, that the Exception in such sense as we conceiue it, will nothing at all helpe them. Sect. 28.

In the sense wherein they conceiue it, that it will helpe them but little also. Sect. 29.

And in such case that they also must be very well advised, and take good heed what they do therein. Sect. 30.

And that they doe nothing against any other Scripture, which they haue strong against them. Sect. 31.

Nor against conueniencie neither, which in that case they cannot auoide. Sect. 32.

That whereas the Apostle also permitteth the faithfull (by an infidell forsaken) to marry againe, that it also doth nothing helpe them. Sect. 33.

The Conclusion. Sect. 34.

OF DIVORCE FOR ADVLTE.

rie, and marrying againe.



Hereas that, which heretofore came (lightly) no farther, but only to be disputed among the learned, is now growne to so common a practise with many, namely to prosecute divorce for adulterie, and to marrie againe: the greater danger that thereby we may see to grow vp apace, towards the overthrowing of such integrity as yet we haue left, and to bring in the Turkish libertie of putting awaie such wiues as they like not, & marrying others; the greater cause haue we so much, the rather to see vnto it, & not slightly now, but soundly to examine, whether it haue any warrant at all in the written word. Which that we may the better finde out, it shalbe good to note, that as there be two sorts of places of Scriptures, whereon the learned that are for that opinion doe commonly rest (some that chiefly respect divorcing or putting away, others that do rather respect marrying againe) so are the iudgments of the learned in such sort divided, likewise: all of them (to speake of) generallie, allowing of divorce; and manie of them, marrying againe, in such case to stand by the word of God. And yet notwithstanding if we can for a time set aside the iudgement of others, and consider of the thing it selfe, in what case it standeth in the written word, by

A

helpe

Euhim,
Zigabe-
mus. pag.
35,

Señ. 2.

help of that light that God in these daies hath giue vnto vs, I make no doubt of it, but that soone we may finde so good matter for the contrary part, that whosoever shall indifferently consider of it, he will not easily afterwarde thinke, that hee findeth in any of that opinion, matter of worth to drawe him backe to that perswasion againe. Which while we shall endeavour to shew, because manie themselves being given to that fleshly libertie, doe nevertheless shrowd themselves vnder the iudgment of those learned that favour the same; therefore it shall be needful (the better to free them frō that preiudice) not to dissemble whatsoever weaknes wee finde in the iudgement of those that are for it: though otherwise they be (by verie good right) of that reckoning with vs, that we ought to vphold their credit, the best that we may. But because the truth ought to be much dearer vnto vs, and seeing it is a wonted pollicie in Sarhan, by the principal men (so neere as he can) to hatch & reare vp his errors among vs: therefore the dearer the truth is vnto vs, & the more wee should take heed, that we doe not beare with the error of any, the bolder may wee be in this case also, so farre forth as the nature of the case shall require, to examine their iudgment, and not to spare for that smal discredit that vnto them may arise thereby. Which that we may do, with more perspicuitie vnto the cause that we haue in hand, I hold it best, that wee consider severally of those two sorts of places of Scripture that before we spake of, that so we may more plainly see how little warrant that perswasio hath in either of the: notwithstanding whatsoever helpe it hath in those learned, that are so much for it as they are.

What
those pla-
ces are,
that be for
divorce.

In the former sort of places therefore wee are to con-

consider, not only of the places themselves that are by divers of the learned alleadged in defense of such divorce: but also how weakely that same perswasion is grounded on them. The places themselves are, some of them such, as most of the learned doe make little reckoning of them to confirme that doctrine to any: but others of them such as they do take to be of speciall force to that end; and accordingly leane not a little to them. Those that are such as of which most of themselves do make little reckoning to confirme that point of doctrine to anie, are two: one, in Ecclesiasticus; the other, found (in the vulgar Latin translation) in the Proverbs of Salomon. That which is in Ecclesiasticus, is diversly read: but the effect is this, that it willeth the husband if the wife wil not be ruled by him, to *put her away*. But this booke is not Canonically: wherevpo *Ecc. 25. 35,* as not many of themselves do seeke any helpe thereby, so *36.* we also will not waste any needlesse labour about it. The other that (in the vulgar Latine Translation), is found in the Proverbs, is, that *qui tenet adulteram stultus est & insipiens*: that is, he that keepeth with him an adulteresse, is a foole and vnwise. But because this also is not found in the Originall, and may be vnderstoode of such harlots as divers hold, but not by mariage, therefore as it is of no force in deed, so doe most of them relinquish also the benefit of it: and therefore we likewise will not go any farther against it. Those others that they take to be of speciall force to that end, and accordingly leane not a little vnto them, are divers, and all of them found in those Bookes that are Canonically, and therefore not to be denied to be of sufficient authority so far as they go. But the we are to note therewith, that whereas there are 6. of them in all, 4. of them they account of lesse importance. And chiefly rest

Sept. 2.

Lev. 21. 7.

Ezech. 44. 22.

Isa. 50. 1.

Isa. 50. 1.

in the other two. Those foure that are of lesse importance are of two sorts, some that hardly censure, that a Priest should marry with a woman divorced; others, that shew the goodnesse of God to be much greater towards them in that kind, then was theirs towards their wiues when so they offended. Those two that doe so hardly censure that a Priest should marry a divorced woman, are Lev. 21. 7. & Ezech. 44. 22. whereof the former doth plainly forbid it: and the other doth greatly disgrace it also. For the former is, that the Priest (among others) may not marry with any *quæ repudiata est à marito, quia cōsecratus est Deo suo.* &c. that is, such a one as is divorced from her husband, because he is consecrated vnto his God. The latter likewise is, that the Lord promising such a Priesthood, as should diligently walke in the ordinances that he delivered vnto them, among other things he reciteth that also, that *repudiatas non accipient uxores*, that is, that they should not take such as were divorced, to bee their wiues. Those two others that doe shewe the goodnesse of God to bee much greater in that kind towards them, then was theirs towards their wiues when so they offended, are the one of *Isa. 50. 1.* the other of *Jeremiah 3. 1.* In that of *Isaiah*, the Lord demādeth, *Ubi est libellus repudii matris vestra, quod dixerim eam?* that is, Where is that Bill of divorce with which I sent your mother away? meaning thereby, that hee had never put away his people nor cast them off: alluding to the custome that they had among themselves, divorcing away their wiues from them, which notwithstanding he had not done vnto them. That of *Jeremie* doth likewise allude vnto the same custome of theirs: and sheweth, that although such as had put away their wiues might not haue them againe: yet the Lord himselfe would be ready

to receaue them. To that end he saith, *Valgō dicitur, Si di-*
miserit uir uxorem suam, & recedens ab eo duxerit uirum al-
teram, nunquid reuertetur ad eam rura? nunquid non polluta
& contaminata erit mulier illa? that is, It is commonly
said, if a man shall put away his wife, & shee departing frō
him shall marry an other, shall he ever returne vnto her a-
ny more? shall not that woman bee polluted and defiled?
Those two other that chiefly they rest on, are, the one in
Deuteronomie, the other in Malachie. That in Deutero-
nomie, as they doe allage it, is, *Si acceperit homo uxorem* Deut. 24. 1.
& habuerit eam, & non inuenerit gratiam ante oculos ejus
propter aliquam infedertatem, scribet libellum repudij, & dabit
in manu illius, & dimittet eam de domo sua. That is, If a man
haue taken a wife and haue her, and she finde no fauor be-
fore his eyes for some vncleannesse, he shall write her (or
as others translate, the let him write her) a bill of divorce-
ment, and put it in her hand, and send her out of his house.
That of Malachie is much like vnto it, namely, *Cum odio* Mal. 2. 16.
habueris, dimittas, dicit dominus Deus Israel, that is, Seeing
thou hatest her (meaning his wife) put her away, saith the
Lord God of Israel. By which they conclude that Moses
first, and Malachie after, did in plaine words of the Text, in
such case allow diuorce vnto them.

3 The places being thus briefly noted, now if wee How ready
would see how weakly that perswasion is grounded on the, many are
it shall not be amisse, first to note, how marvellous ready vnauided-
the common sort of those loose wantons of ours are, ly to build
for themselves to that opinion, & yet how little ground thereon.
worke they haue, even in their Leaders themselves. How
marvellous ready they are to sort themselves to that opi-
nion may sufficiently appeare in this, that when as it is
graunted that such places there are, whereon the learned

Sect. 3.

(that are for divorce & marrying againe) doe ground their opinion, even that only is enough for them, and doth so fully resolute them in it, that hardly can they afford their cares, patiently to heare any more. For as wee are all by course of nature giuen vnto sinne, and especially, vnto revenge, & to the inordinate lusts of the flesh: so are there some (and those not a few) that haue afforded so hard entertainment vnto that good spirit of God, whereby only they should be preserved from so dangerous passions, that it is not of such to bee expected, but that, (hee not vouchsafing to tarry with them) easily they would settle themselves vpon any semblance, that should fit their humor whatsoever it were: which if it be so, then are we so much the lesse to marvel, if, as when meate is set on the table, men commonly vse to fall vnto that which best doth like them, and, the more that themselves haue their stomakes possessed with vnholosome humors, oftentimes vnto that which is worst of all for them: even so in this likewise when diversity of opinions is broached vnto vs, then every one to betake himself vnto that which best liketh him; and, the more that any as yet abideth vnder the power of error or sinne, the more to like the opinion of those, that best of all fiteth his inclination, though otherwise it be not so neere the truth as is some other. And as in the one, such is the power of that distemperature, that one that is in such sort distempered, can hardly but thinke that that which he fancieth, is indeed simply the best of all the residue: even so in the other, it is no newes to see, that such as are so strongly possessed of any such passion of humanity whatsoever they find that doth beare a shew of the truth, ad yet doth sort it selfe nearest to that speciall disposition of theirs, doe account that also the best Divinity.

4 How little groundworke they haue, even in those that are their leaders themselves, may partly appeare in that they are so much crossed by others, as therein they are but especially, in that which themselves haue set downe for that matter. That they haue little groundworke in them, if they be so much crossed therein by others as they are, may likewise appeare if we consider but these two things: first, how farre they are crossed therein; then, what it is that followeth thereon. To see how farre they are crossed herein, wee shall neede to goe no farther, then to the plaine confession of one of themselves, *Erasmus* by name. Who immediatly after his very entrance vnto that speciall discourse of his, doth plainly acknowledge, the generall iudgement of all Christendome to be against that which he was then to propound, to be further examined. *Scio*, saith he, *receptissimum esse inter Christianos, sibi semel coijt matrimonium, nullo pacto posse dirimi, nisi morte alterius*. I know, saith he, that it is the generall or most receaved opiniõ of all Christians, that when marriage is once made, it can no way be broken againe, but only by the death of one of the parties. And as here, in generall termes he acknowledgeth the iudgement of the whole Church, or of all the people of God generally to be against that presupposed libertie: so, in the next sentence following descending to particulars, he acknowledgeth there likewise, that that is the iudgement both of *Chrysostome* and of the old Latines, and of *S. Augustine* especially: and, that the same iudgement of theirs, is confirmed by the constitution of Bishops, and by the authority of the Lawes Decretall; and allowed of by the consent of the Schooles of Divinitie. So himselfe granteth, that hee findeth against that opinion (wherevnto notwithstanding he

Those that are for divorce, and matrying againe, much crossed by others.

Erasmus
In 1 Cor 7.
pag 491.

Ibid.
Chrysostõ
Old Latines
Augustine.
Constitutions decre-
tal; & the
Schooles
against it.

Sect. 4.
All the La-
tines
Eccel. lawes.
Divinity.

P. Martyr.

Sect. 67.
pag. 306.

D.R. Cap.
1. sect. 1,

he inclineth) many great Fathers, even all the Latines generally, the Ecclesiasticall lawes also, and (in effect) Divinity too: then the which I thinke we need no more for the reasonable prooffe of that assertion, then so plaine a testimonie of so speciall a patron of that perswasion. Wherein though divers of them besides have beene more sparing, then to slip any so plaine a testimonie (belike, least so they might further let downe, in the minds of many, the credit of their cause, then themselves were able, any way to raise it againe) yet neither doe they reprove him for it, and besides, both *Peter Martyr* abroad, & one other of our own at home (by very good right of speciall account for many good parts, with the learned and godly among vs) haue set down somewhat, not much abhorring from the same. The former of them, *Non reperies in veteri Testamento ullos celebres aut laudatos viros divortio usos esse, quantum historia sacra referant.*, that is, Thou shalt not finde in the olde Testament, any of the better sort of men to haue vsed (the libertie of) divorce, so far as the holy Scriptures doe testify. The latter of them, that *S. Augustine*, the Schoole Divines, the Canonists, and the Church of Rome, though in case of adulterie they allow of divorce, yet allow they not to marry againe. And it is sufficiently knowne vnto vs, that though divers particular persons there be among vs of other iudgement (and divers of them otherwise, both learned and godly) yet that forme of government which we haue all generally agreed vnto, to bee in such case observed of all (as by our lawes both Ecclesiasticall and Civil appeareth) is directly against such marrying againe, though divorce be for no lesse then for adultery. That which followeth vpon it, is this, that vnlesse those that are for it, haue such places for them, as are cleere and without

exception, they can prevaile but little therein, but must needs leaue the better end of the staffe vnto others. For if themselves wil not deny but that there be many against it, and as many as there be with it, or rather more, then, as the scales when they hang indifferently, doe shew that the things that are weighed therein, are of one & the selfe same weight, but when they vary, that then the one of the needeth more weight to be added: so howsoever that if our voices were even, or the matter but in quæstion among vs, & not over-ruled, then the allegations of either partie, might be alike esteemed of those that stand indifferent; yet when as it may very well be doubted, that they are many more against it, then there be for it, and the matter is (with vs) over-ruled against them, then vnlesse their proofes be the better, they may not looke to evict it from those whome they plainly finde in possession already. The evidence (indeed) may proue to be such, that neither the greater number of voices, nor possession of old, may stand against it: but vnlesse it be such, whosoever it is that would claime thereby, may looke for no more, the it will be able, in equitie and truth to win vnto him.

5 Of that which themselves haue set downe for that matter, a good part respecteth most their owne iudgment therein: the residue, those places out of which they doe gather it. In so much of it, as most respecteth their owne iudgement therein, we are first to note, what it is that they haue brought vs: then, to advise our selues thereon, how far forth wee may take to our selues the advantage of it. That which they haue brought vs, is of two sorts: either to shew vs how hardly and doubtfully they are resolved; or such other things as follow thereon, that may be some warning vnto vs besides, to take heed that we rest not too

Their
doubtfull
resolutions.

Sect. 5.

much on their iudgement. As touching the former, namely those hard and doubtfull resolutions of theirs, I take it that the best order will be, to take those whome I meane to alleage, in such order of time, as wherein themselves did write. And so beginning with Erasmus first, he began

Erasmus.

In 1. Cor. 7.

his Annotations on the new Testament 1515. in which booke that Treatise of his is, that he wrote of this matter. In which he is so far from allowing of that course absolutely, that he doth no further plead for it, but whereas

a Pag. 495.

b Ibid.

c Ibid.

d Pag. 504.

e Pag. 501.

the woman is *a flagitiis aperta*, *b quibus (maritus) nec causam dedit, nec mederi possit*, and after againe, *c qui nihil est commertus*; after this also, *d that nihil non frustra tentatum sit*, and yet notwithstanding that then also it be not done by themselves, or any other private persons, but *e ubi res erit acta per Episcopos, aut per probatos & graves Iudices*; that is, that the wife (that so must be put away) must bee a very bad woman; that her husband (that may put her away) never gaue her occasion to any lewdnesse, neither is able now any way to help it, nor ever deserved any such ill dealing of her; after this also that first hee must haue tried all good meanes, but can doe noe good on her, and that such divorce be never made but by Bishops or other approved and graue Iudges. *Musculus* also setting forth his Commentaries on S. Matthewes Gospel, 1554, though he grāt that divorce may be, *stupri causa*, that is, for whoredome: yet he addeth withall, *Casus hic habet varias circumstantias, quas hoc loco excutere propositum non est. Sed tamen admonerim ut quibus tales conjuges divino iudicio contingunt, recordentur se esse Christianos. Et primum cogitent de lucranda coniugis salute, si id fieri queat: si vero nequeat, tum demum libertate sua, neq. id sine animi dolore utantur.* That is, this case (notwithstanding) hath divers circumstances,

Musculus.

In Mat. 5.
p. 112.

ces, which my meaning is not here to sift out. But this would I warne them of, that those to whom by Gods appointment such wiues haue falne, would remember themselves that they are Christians. And that first they would thinke to bring their wiues to better waies, if it may be: but if that cannot be, that then they take the benefit of their own liberty, but not without their own harts grieve in that case also. *Peter Martyr* hath two cautions; one, that the man had need to be honest himselfe; the other, not to go without authority therein. For the former, *per iniquū iudico*, saith he, *ut vir exigat ab uxore pudicitiam, quam ipse illi non exhibet* (which he saith was the law of *Antonius*) that is, I take it to be very bad dealing, that the husbande should exact chastity of his wife, who doth not yeeld the same to her himselfe likewise. For the latter, *Si quis autem propter stuprum solus cogatur degere, &c, cum ei facere leges copiam nolint secundarum nuptiarum, &c: certē nō possunt ei occurrere nisi duo remedia: ut &c, jam arbitretur se à Deo vocationem habere ad calibatum, &c: aut, &c, si putet sibi expedire, ut libertate à Deo concessa utatur, &c: conferat se in regiones ubi hoc liceat*. That is, (so much as I thought good to draw out of the place it selfe) But if (by putting away his wife for whoredome) a man be compelled to liue single, as in case, when the laws (of his country) will not suffer him to marry againe, he truely can haue his choice but of one of these two remedies: that now he account himselfe to haue a calling from God to single life; or if he thinke it expedient for him to vse that libertie that God hath given him, that he then get him into those countries that wil allow him so to doe. Againe, *Quin & in his quæ Scriptura expressest, nihil absq, Magistratus approbatione audendum iudico*: or, as by and by after he saith, *publicis legibus vetantibus*,

P. Martyr
in 1. Cor. 7.
1552. & habetur in locis. com.

Sect. 68.
pag. 306.

Sect. 56.
pag. 302.

8. q. 1. 1. 1.

Ibid.

Sect. 5.

bus, that is, evē in these things that the Scripture hath expressly allowed, I thinke that nothing is to bee attempted without the Magistrates leaue, or whensoever the Lawes of the coutrie forbid the same. And his reason there, is, for that although marriage be the ordinance of God: yet for the circumstances therevnto appertaining, it hath diverse things that are to be governed by the positive laws. *Kernifius* likewise, writing against that part of the Council or Chapter of Trent 1566, *Omnino* (saith he) *quantum salva conscientia fieri potest, opera danda est, ut divortia etiam legitima caveantur, nexus conjugaliter vel indissolubiliter servetur, vel si interruptus fuerit, redintegretur*. That is, In anie wise we must take heed, so farre as with good conscience we may, that we take heed, even of lawfull divorces also, and that the bond of marriage either inviolably be kept, or if that be (at any time) broken, that then it be made vp againe. And a little after, *Et p̄is omnibus probatur, ut non statim ad divortia profiliatur, sed prius tententur omnia que reconciliationi & redintegrationi servire possunt. Omnia enim mihi licent, sed non omnia expediunt, & edificant, inquit Paulus*. That is, And it is thought meete by all good men, that men do not forthwith set in hand with divorce, but that all things be first assaied, that may helpe forward reconciliation, and to make vp the breach againe. For all things are lawfull, but not all things expedient, and vnto edifying, saith the Apostle S. Paul. *Beza* likewise, in that speciall Treatise of his on this matter published 1573. though he be much harder, than others of his fellowes in this point, and therevpon setteth downe, that although himselfe do pronounce them to be, *veluti altero oculo captos, qui in hoc unum ita sunt intenti, ut nocentem innocentem reconcilient, ut interim per exiguam habeant innocentis rationem*

Kernifius.
Parce, 2.
sect. 8. can.
7. pag. 2. 87.

Ibid. p. 283.

Beza.
De repud.
& divor.
Ob. 11. pag.
111:112.

yet both he disalloweth of the iudgment of those, that hold, that the innocent party is bound, *dimittere potius quā illi reconciliari* (which is somewhat:) and afterward more liberally he addeth, that of the two, he rather alloweth of them, *qui reconciliandis potius, quā sublata omni spe institutionis, seperandis conjugibus student;* (a great matter.) So, his meaning is this, that although he account them al but one-eyed men, that in such sort labour to recōcile the party offending vnto the innocent, that they haue but little care how to provide for the innocent also: yet neither is he of the minde of those, who account the innocent party bound, rather to put away his wife offending, than to be reconciled vnto her againe; and (that more is) doth also allow, much more of those that labour that attone-ment, than of those that labour to sunder them, without any hope of any restitution after. Afterward againe both he saith, that it were praise worthy, not to doe it without the leaue of the Church, and going against that opinion of *Bucer*, that seeing the Lord would haue an adulteresse put to death, he would not haue their husbands to keep them: he answereth, *hinc minimè consequi, nefas esse maritis (si essent Magistratus) uxores respiciētes ex charitatis Christiane norma recipere. Lex enim illa, quid facere Magistratus, non quid priuatos oporteat, praescribit.* That is, that it doth not follow thereon, that it were any great offence, vnto husbands according to the rule of Christiā charitie, to receiue their offending wiues, when they are penitent. For that Law (saith he) doth proscribe, what Magistrates, not what private men are in such case to do. Lastly, *Zegedinus* in those common places of his, which in tables were published 1585, moving the question, whether the innocent parties if he cannot containe may marry againe, he answereth,

word non

Pag. 113.

Pag. 113.

hinc non

to the

non

Zegedinus

Zegedinus.

De coniug.

& divor.

Tab. 2. pag.

354

Sect. 6.

*Bona conscientia id facere potest, at non absq. Ecclesia, ac etiam
pij magistratus venia, ut infirmorum offendiculis occurratur.*
That is, with good cōscience he may: but not without the
Licence of the Church, & of the godly Magistrates too,
that the weake be not offēded thereby. In al which we see,
that they do not so absolutely allow of divorce and mar-
rying againe, but that themselues also doe something re-
straine it, lesse or more, as euery one is therein perswaded.
So that if in the end it doe fall out (as for my part I thinke
that it will) that in the written word they haue no warrant
to grant so much as they doe: then shall we lesse marvell
to see, that they doe so much abridge and take short the
selfe same thing, that otherwise they are so willing to
grant.

Vpon how
weake rea-
sons they
haue grown
to this reso-
lution.

6 When in this sort they haue resolued; then are we
to see, what other things they haue besides, which may be
some warning vnto vs, to take heed, that we rest not too
much on their iudgements: and those may wee account
to be of two chief & principal sorts. First the reasons allea-
ged to haue induced them so to determine: then, the Pro-
testations that they haue ioined therevnto; and, as it may
seeme to qualifie the hardnes of their iudgement therein.
As touching the reasons that induced the so to determine,
Erasmus. Erasmus, when first he opened that passage (to himselfe &
to those that would follow) was so carefull to set them
downe, that it seemeth others did not after thinke it need-
full, to prosecute the same any farther: and so shall we al-
so content our selues to goe no farther, but only to alleage
such reasons as he thought meetest to vse. And those rea-
sons that he alleageth, me thinke, we may reduce vnto two
principall sorts: whereof some there are, that simply arise
out of the matter that is in question; others, that stand
but

but only by the way of comparison. Those that simply arise out of the matter that is in question, doe some of the more specially concerne the substance of it: others againe, that are taken of such matters as are but accedetary thereunto. Those that concerne the substance of it, are all such discommodities as commonly haue disorderly marriages (especially those, wherein the bond of wedlocke is broke) which he thinketh to be so many and great, that S. Paule himselfe would haue borne more with them in that matter, as he is perswaded, if it had beene propounded vnto him. *Quod si Paulo (saith he) proposita fuisset huiusmodi causa, stultus cum stulta, puer cum puella contraxit, intercesserunt lenae, vinum, temeritas, arte in nassam inducti sunt &c, nihil inter coniunctas conuenit, tanta est morum & ingeniorum dissimilitudo, rixa iuges, odium immedicabile, timetur venenum, timentur caedes, nihil nō malorum expectatur, neuter celestis potest vivere, &c.* fortassis pro causa circumstantiis, aliud responderet Apostolus, & nonnihil relaxaret de rigore cōsiliū superioris, suāq; scripta civilius opinor nobis interpretaretur, quā nos interpretamur. that is, But if this case had bin propounded to Paule, one foole with another, a boy and a wench haue married together; bawdes, drunkenness, & rashness were doers therein; by craft they were so far intangled: being so married, now they agree not, so diuers are they in their waies and disposition: continuall chiddings, extreame hatred; poisoning, and murder are feared also, and they looke for none other but for all manner of euill (each from other,) neither of them can liue single: it may be, that according as the circumstances of the case should require, the Apostle would giue some other answer, & would let downe a good part of the rigor of his former advise, and would interpret his writings vnto vs more:

Pag. 504.

Sidi

707.307

Sidi

Sidi

Sect. 6.

Ibid.

Pag. 505.

Ibid.

Ibid.

more curteously then we our selues doe. In which his speech though there be some inconvenience besides: yet (leaving that to his proper place) now I bring it in but only to this end, to shew of what force he tooke the calamities of disorderly marriages to be to the matter he hath in hand; namely, to breake of, and to marry againe. For so he saith, *Si coherent, bis perit uterq;: si mutetur coniugium, spes est utrumq; fore incolumem.* that is, If still they abide together, each of them doth certainly perish: if they may breake of, and marry againe, there is good hope, that both shall be safe. Those matters that are but accidentarie therevnto, and out of which he draweth some reasons likewise, are the Scriptures therevnto appertaining: and the iudgement of others thereon. Of the Scripture he saith, *videbam Scripturam hac in parte, ut pleriq; esse perplexam, & ancipitem,* that is, that he saw the Scripture to be in this point, as in many others, intricate, and doubtfull: and therevpon (belike) accounted that he might bee the boulder to afford his patronage to this, when as hee thought that the Scripture would not bee against him therein. Out of the iudgement of others he chuseth out two severall considerations: one, that the olde and the new did not agree together; the other, that such things as were objected by those that were of the contrary minde might easily be answered. For the former he saith, *Videbam veteres interpretes doctissimos, à recentioribus dissidere;* and for the latter, that he saw likewise, *ea quæ obijciuntur, facile posse dilui, citra nostræ religionis injuriam:* and so reasoning from these (as I doe conceaue him) out of the former, that it should be no new, nor absurd thinge for him neither, to dissent from others herein; and out of the latter, that there were no danger of hurt to come thereby,

when-

when as, by it, our religion should be nothing impaired. Those reasons of his that doe stand only by the way of comparifon, are of two sorts also: some, that stand in comparifon of persons only; others, that compare the matter in quæstion with others not vnlike decided already. The persons are of two sorts likewise: the Church or whole Body of the faithfull; and the Bishop of Rome, then the supposed Head of the same in earth among vs. From the Church he draweth two reasons: one, of the authoritie of it, that Christ did giue it; the other, of the good direction that it hath by the Spirit of Christ her husband. For the former he saith, *Videbam quanta sit authoritas Ecclesie à Christo tributa, cui dederit claves regni cælorum;* and so, that she might well set it downe, by the authority to her committed: and for the latter, that hee accounted with himselfe, *Ecclesiam habere sui sponsi Spiritum, neq. posse non rectè statui, quod ad hominum salutem, illo authore statueretur;* and so gathering thereby, that if shee should take such order, it must needs be well ordained. From the Pope, hee draweth other two reasons likewise: one, of a speciall good likelyhood, that he would be most willing to helpe in time of need: the other, of the abilitie or power that he conceaueth him to haue to doe good therein. Of the former of these he saith, *Videbam quàm esset ingens Romani Pontificis clementia, qui succurrat etiam iis qui apud inferos, citra periculum exitii aeterni, cruciarentur,* thereon gathering, that seeing his compassion is so greate towards those that are none of vs now, it cannot be, but that much rather he wil help those that are so much neerer vnto him. Of his præsupposed power, he reasoneth likewise two severall waies: one waie, out of the generall consideration of the whole; the other, out of a more speciall considera-

Ibid.

Ibid.

Ibid.

Sect. 6.

Ibid.

Ibid.

tion of it, as it hath beene imploied, and what force it hath had in matters of much like nature to this. Of the former he saith, *Videbam hoc tribui Pontifici Romano, ut Evangelicam & Apostolicam doctrinam interpretetur, astringat, laxet, dispenset, & iuxta quosdam etiam abroget aliqua in parte*: so gathering thereby, that seeing it is so commonly giuen to the Bishop of Rome, not only to interpret the holy Scripture, but also to enforce the same somewhat further, and to let it downe againe when hee thinketh good, or to remit some part of it, as also to dispense therewith, and (in the iudgement of some) even to abrogate some part of it also; then need not he (as I doe conceaue him) be thought to importune him too much, that doth but commēd this to his good consideration, & no further neither thē himselfe shall thinke good to deale therein. In the latter hee doth not only set downe the ground of his reason: but himselfe also addeth (more then before) what it is that he gathereth out of the same. The ground of his reason therein is, that he saw; *per Romanum Pontificem personas reddi inhabiles, quos neq; natura, neq; lex divina fecerat inhabiles*: that is, that certaine persons were by the Bishop of Rome made vnable (to marry) whom neither nature, nor the law of God had made vnable. That which himselfe doth gather out of the same, is, that it seemeth to be *eiusdem potestatis, hominis autoritate vetare ne coeat matrimonium; & efficere, ut dirimatur matrimonium*. That is, of like power that by mans authority mariage may bee prohibited to any, and to bring to passe, that when it is made, it be broken againe. Those other matters not vnlike to this, decided already, out of which he bringeth some reasons also, are first the allowance of divorce by men of great reckoning; then also the breaking of, both of espousals and mariage also, in divers.

divers cases. For the former of those hee saith, *Videbam viros olim probata doctrina, sanctimonieque, non fuisse deterritos Evangelij, Paulique verbis, quo minus admitterent divortium*: and (for further confirmation of their doing) he addeth, *videbam quaedam secus posse exponi, quam hactenus exposita sint*. That is, that hee hath noted divers men in times past, of vndoubted learning and godlinesse, not to haue been terrified by the words of the Gospell, and of S. Paul, but that they haue (sometimes) admitted divorce: & that certaine places (belike that seemed most against the) might be otherwise expounded, then hitherto they haue beene. (Which expositions if we may account the those, that himselfe in that Treatise bringeth in, the is it not vnworthy the marking, whether most of those that are of that minde, doe not since themselves also vrge them vnto vs, as the truth indeede, without any great examining of them, how they stand with other Scripture.) For the former of the other two, espousals I meane, he saith that hee saw, *ob professionem instituti humani, ob mutatum pallium, sponsum legitimum fraudari sua sponsa*: that is, that for the profession of some ordinance of man, even for the changing of the attire, a man lawfully espoused or handfast, should be defrauded of his espoused wife. And for the latter, that he saw likewise in that age of his, *matrimonium dirimi ob errorem persone & conditionis, etiam consummatum coitu*: and, *ob lapsum in heresim, etiam illud dissolvi, de quo dubitari non poterat, quin verum esset matrimonium*. That is, that he had seene likewise, marriage to be accounted void, for the error either of person or condition, although it were consummate before with copulation: and that, for falling into heresie, such marriage also was held as broke, which no body might doubt of, but that it was true mar-

riage

riage indeed. In all which (these his last reasons I meane) it seemeth that his inference is, that if so many waies men make them so bold with that holy ordinance, to alter and dispose thereof in such liberty, as in these cases they doe: the may no body thinke much with him, for no more but propounding of that, which he taketh to bee much better warranted, even by the doctrine, and plaine wordes of Christ himselfe. That vpon these his aforesaid reasons he thought good to propounde this matter to bee farther thought on by others, and that therevpon hee doth no more but propound it neither, may sufficiently appeare both in the words that he vseth withall: as namely, when a little before his reasons, and in the ende of handling the matter it selfe, he saith, *Hec tamen paucis libuit delibare, quo doctis ac studiosis uberiolem cogitandi materiam praeberemus:* and immediatly after, *His rebus commota charitas Christiana, proposuit ijs qui me plus cernunt, dispicere, si qua ratione sermo Evangelicus ac Pauli dispensari posset ad plurimorum salutem, &c.* And anon after, *Quod si hoc quod opto, fieri non potest, certe illud potest statui, ne matrimonia prater veterum omnium morem, prater aequitatem naturalem, tam facile, ne de ca tā temerè, coeant.* That is, yet these few things I thought good to giue in as a taste, that I might giue occasion vnto the learned and studious, to thinke better therevpon: and, which followeth, that Christian charity being moved herewith, hath propounded thus much to those that doe see farther thā I, to the end that they should cōsider, whether by any meanes that speech in the Gospell, and in S. Paul, might be dispensed, to the good or safety of manie. But if that which I wish may not be obtained, yet certainly there might bee order taken, that mariages shoulde not hence-forth be so lightly, and so rashly made, so far vnlike

to all former good vsage, yea and to natural equity it selfe. Which things I haue more specially noted for two principall causes: one, concerning the validitie or force of the reasons he bringeth; the other, how far he buildeth thereon. The force of the reasons the greater it is, the iuster cause was there then, & yet is, to helpe forward that motion so well as we can: the weaker they are, the lesse neede wee to account our selues vrged thereby, to follow the course that they may seeme to commend vnto vs. How far he buildeth thereon would be marked likewise, because he doth proceed no farther thereon, but to make this motion only: whereon, if others since haue set an heavier building, by over-ruling that point as a manifest truth, that crept in but (as it were) two daies before, as a poore and a doubtful question, it seemeth to me, either that they haue more and greater reasons wherevpon they are gone so farre; or els (which I rather thinke) that they haue raised more building thereon, than the foundation is able to beare.

7 What protestations they haue thought good to ioine therevnto, (& belike to qualifie the hardnes of their iudgment therein) is so much the more needfull to be considered, for that otherwise we might either charge them farther than iustly we may; or suffer our selues to be carried farther by them than we ought. Both which are (so much as we may) to be avoided: the one, for the duty that we owe vnto them; the other, for the care that we ought to haue of our selues. In which although chiefly I meane to rest on *Erasmus*, also for that hee was (so much as hee was) our leader herein: yet shall it not be amisse, somewhat to heare some others also, especially one, that most of all hath advanced that perswasion in these our daies. In *Erasmus*

What protestations they vie withall.

Sect. 7.

In præfat.
pag. ult.

ibid.

In 1. Cor. 7.
pag. 491

mus (we finde, some part of those his protestations to appertaine to that whole worke of his wherein his Treatise is of divorce, & marrying againe (his Annotations on the New Testament) and some part of them more properlie to belong to that very matter, that now we haue in question among vs. Of those that belong to that whole worke of his, I haue noted a couple: one, that sheweth how little he arrogateth vnto himselfe therein; an other that doth shew likewise, what liberty hee leaveth vnto his Reader. For the former he saith, *Nos ad utrumq; iuxta parati sumus, ut vel rationem reddamus si quid recte monuimus, vel ingenuè confiteamur errorem sicubi lapsi deprehendimur. Homines sumus, & humani nihil alienum à nobis esse ducimus.* That is, We are alike ready to both these, either to giue a reason of it, if any where we haue advised wel, or plainly and readily to acknowledge our error, if any where we be found so farre to haue slipped. For the latter he saith likewise (after that hee craved but such indifferencie as is afforded to all offenders at the Barre generally, namely, that his booke may first be read, before it be condemned by any.) *Legat prius ac inspiciat, deinde si videatur, damnet, ac reiciat.* That is, Let a man first read it and looke into it, and then, if hee thinke good let him condemne it, and cast it from him. Of those that doe more properly belong to that very matter that is in question, I haue noted likewise a couple in the beginning of that his Treatise: & one other, towards the end. In those that he hath in the beginning first he protesteth his own good meaning therein, that he doth it but to enquire of the truth, and not to bee contentious therein: then after, he setteth good reasonable bounds for the better deciding of it. As touching the former, his words are these, *Ut semel in huius operis initio sum testatus, perpetuo re-*

statum haberi par est, in toto opere me nusquam esse velle contentiosi dogmatis autorem; tantum iuvandi studio monere studiosos: semper inconcusso, & illabefacto iudicio sacrosanctæ Ecclesiæ; et eorum quibus uberius donum eruditionis et sapientiæ contigit à Christo: that is, As once in the beginning of this worke I did acknowledge, I thinke it meete to bee acknowledged still, that throughout the whole worke I wil never bee author of any contentious opinion, and that my meaning is but only to admonish the studious for their help: alwaies reserving the judgement of the holy Church, and of those on whome Christ hath bestowed a better gift of learning and wisdom, altogether vntouched by me. As touching the latter he saith likewise a little after, *Ceterum, si semper hoc bonis viris cordi fuit, opinionem in melius commutare, & leges seu pharmaca cōvenit ad morborum habitum & rationem accommodare, consideremus an hic expediat idem fieri: & si expedit, an liceat ut matrimonia quedam dirimantur, non temere, sed gravibus de causis, neque per quoslibet, sed per Ecclesiæ Præfectos, aut Iudices legitimos: & ita dirimantur ut liberum sit utriq; cui velit iungi, aut alteri certè, qui divortio non dedit causam.* that is, But if it ever pleased good men well, to change their opinion vnto the better, and if it be good to frame our Lawes even as medicines vnto the nature or maner of our diseases, let vs consider, whether in this also it be good so to doe: and if it be expedient, whether (then) it be lawfull or permitted vnto vs, that certaine marriages may be broken asunder againe not lightly, but when the cause is weighrie, nor by any whomsoever but by the Governors in the Church, or other lawfull Iudges: and that those marriages may in such sort be broken asunder, that it may bee free for either party to marry againe where they thinke good, or at least for

Ibid.

the:

Sect. 7.

Ibid. pag.
505.

P. Martyr.

in 1. Cor. 7.
& 7. et in
Loc. com.
Sect. 56. p.
302.

the one of them, the same that gaue no cause of divorce. That which he hath towards the end, is much like to the former of these, and of the same nature with it. For whe he hath before protested, that he did propound this but to whet vp the studious to a further consideration of it, hee inferreth therevpon, *Nec v. llo pacto iudicio maiorum ob hanc praire conamur, multo minus Ecclesie Catholica.* that is, Neither doe we in any wise hereby desire, to prevet the iudgement of our betters, much lesse of the Catholike Church. Those others that I haue thought good to bring forth to be heard in this cause besides, are two: Peter Martyr; and Beza. Peter Martyr though he runne the selfe same course in effect, that Erasmus had before propounded and laid it open to those that would: yet both hee would haue the Magistrates leaue first obtained as wee saw before, & hauing then set downe a good peece of his minde before for that matter, in fiue whole Sections, in the end of the fift he addeth, *Hec à me sic traduntur, ut melius, ac sanius consilium perpetuò sim paratus, & audire, atque admittere.* that is, These things are in such sort delivered by me, that I am ever ready, both to heare and to admit any better & sounder advise. Which words of his if wee restraîne onely to that point that immediately goeth (in that place) before, both I should thinke that wee should doe him manifest wrong, and that his owne very wordes (not speaking of one, but of more) would much favour our conviction therein: and if we enlarge them vnto the whole, or to the drift of his opinion in all those points before delivered, then may we see that he was not (as some others are) so peremptory therein, but that he professeth that he would be ready so far to change, as at any time he should see any better. Beza is more resolute in it, and hath more largely handled

1914
1915
1916

Opusc. vol.
2. pag. 31

How far we
may get
here on

Grace ; but

bid.

ibid, pag. 46

138

Sec. 8.

De repud.
& divort.
pag. 114.How far we
may gather
hereon: no-
thing at all
to their dis-
grace; but
only to our
own better
instruction.

pent, to take her againe, though there he acknowledgeth that it is not his part to send them away doubtfull therein: yet he taketh hold of an other part of his function also (*non ut leges cuiquam praescribam*) that hee was not then to prescribe any lawes vnto them, & so may seeme thereby to acknowledge, that albeit he then declared his mind therein, yet meant he no otherwise, but to leaue them vnto the freedome of their own iudgement withall. Againe *Dixi quid mihi hic videatur: suum cuiq; liberum iudicium esto, modo ex verbo Dei quisq; sapiat.* that is, I haue shewed what is my iudgement thereon: let every one be persuaded therein as himselfe thinketh good, so that he ground himselfe therein, on the word of God.

8 Now that we may more orderly gather what wee are to thinke of these resolutions, alleaging of reason, and protestations, so doubtfull, so limited, and so senced speeches, and how far we are to take the advantage of them, and withall to shew, why I haue in this place presented a certaine of them vnto the view: I am here to admonish, first that one way there is, wherein it may bee that some will take them, which in no wise is meant by me, but another there is, which willingly I doe acknowledge to bee my meaning indeed. That which is not meant by me, is, if any should so take them, as if I had alleaged them in the way of disgrace to those that wrote them: a thing of that nature, that neither might I iustly doe it: neither would I though so I might. I might not iustly doe it, because there were no cause so to doe. For the case being such as it is, they could write no more certainly, nor more boldly then they did so long as yet they did not espie how wrong they were, in some of the maine principles of it. So that in such case they are so far from the desert of iust reproofe

reprooffe, for not being resolute, but vsing great warines
and limitation in all such speeches as thereof they deliver,
that it rather deserueth right good commendations, that
in a case so intricate, doubtfull & strange (as they did take
it) they framed their speeches so suitable vnto it: that as
those speeches of theirs were sufficient tokens to all, how
hardly themselues tooke vpon them to goe so far as they
did; even so might they bee as good warnings to others,
there to read with the better attention and iudgement, &
not so much to imbrace the opinion that such haue con-
ceiued, as to examine and ponder the reasons, whereby
they suffered themselues to be therevnto induced. And al-
though it be expected at the hands of all that are to leade
others, that they be resolute in that which they teach: yet
if at any time the case be such, that iust occasion bee giuen
to giue in their iudgement of such things as yet are not
(among the learned) so fully decided, then is there no
more at their hands expected, then to deliuer their minde
accordingly. In a firme, plaine, ready, & beaten way, how-
soeuer men are wont more freely to ride: yet if it be co-
uered with snow, rough, or stony, or yeeld any semblance
of quicksands or miers, although in such case there are
founde sometimes, that then also will ride freely enough;
yet was it ever, and ever will bee accounted more wise-
dome, in al such cases to be more warie. Examples here-
of we haue very many, wheresoeuer the Scriptures
haue not so fully declared those thinges that neverthe-
lesse wee thinke are enough decided by them; as, at what
time the Angels were made: or, when the matters are
prophetical, and extend to a farther time then is con-
ceiued; as, the manner of Antichrist and of his comming
to the Fathers of old, and of the calling of the Iewes and

Turks to the knowledge of Christ before the last daie, to vs now. Of which things (and some others besides) those that haue written (even the best of them all) may easily be found to haue diuers ambiguous and timorous speeches: and yet notwithstanding are not therein to be hardly censured neither, for that (as those matters are) there was nothing more that iustly might be expected of them. And so to come to these others againe, as in right I might not seeke their disgrace thereby, as having no sufficient ground worke vnto it: so God forbid, that if I had, yet I should at any time haue that meaning with me, being as they are, not only partakers of the selfesame Grace with vs; but also such instruments to the advancement of the glorie of God, and so comfortable lights to all the faithful in these our daies, as that the Church of God hath seldome (if at any time) had, for those matters, a greater blessing. That other which is my meaning indeede, is, no more but to note, that seeing they are not, in that matter, more fullie resolved, there is no certaintie (nor any great good likelihood neither) for any to ground themselves vpon, that gladly would take vp that opinion with them. If we had found them so resolute in it, that, without any doubting, and without referring themselves vnto those that might see farther therein, they had flatly & boldly pronounced, that it was the vndoubted word of God, though therein also (in accepting of it) we might haue beene deceived, as not looking vnto the matter it selfe, with our owne, but with other folkes eyes: yet had that beene a more tollerable error a great deale, and more easie (by many degrees) to be excused, especially to those, that in such cases are (in many things) to depend vpon others, either for that they are otherwise imploied, than that they may giue themselves

to such reading as such matters require, or, if they may, yet haue they not that depth of judgement, that such thinges require. But when as themselves, whome we are content to make our leaders therein, being in other things resolute inough, and as bold as Lyons, do not set downe their opinion in this, but with great warines, doubtfulness & feare, with so many cautions & allegations, with such submissions and protestations: it would be no small wonder to me (but that I know, how inclinable to such things we are by nature) not only that any should bee so loose as to enter that course, but also that any should so much as conceiue, that such kinde of speeches should be likely to yield any such ground, as whereon a man that were willing so to do, might bee bold to build, and to make no doubt but that he had his warrant with him. We know wel enough (as in many other things strongly hold it against the adherents of the Church of Rome) that we may do nothing at all but only that, for which wee haue some vndoubted warrant in the written word: and yet notwithstanding (I will not say, that I wote not how it cometh to passe, for that it is by our own bad inclination) we are so farre bewitched in this, that finding great staggering in those that are the strongest for it, & most forward in defence thereof, we nevertheless conceiue, that therein we haue warrant enough. So easie a thing it is to bend those, that so hand somly crooke to such purpose already: & in the freedom we haue in Christ, so quickly to take holde, of an vnseasonable liberty of the flesh. But here we must take heed we forget not, that as yet we doe not consider what it is that they bring but only, that what so ever it be, yet because the selves are no better resolved, therefore may nobody be so bold as to build vpon them. We wil not yet deny, but that,

Sec. 9.

for ought wee see yet, the truth indeed may bee as they doe iue: but if themselves bee no better resolved, then though they haue the truth therein, yet because it is more then themselves doe knowe of, even that onely is enough for the time to stay vs, vntill wee see farther.

Of the places
themselves.

The first
of them.

The two
latter.

That other part of that which themselves doe set downe for this matter, doth chiefly respect those places aforesaide, which they vse to bring in for that opinion of theirs, and partly the first foure places of them; but then especially, the other two. For seeing themselves doe rest but little in the first foure of the, but yet very much in the other two we also may briefly dispatch those others, and follow them only in those wherein themselves do thinke that they haue their chiefest strength. Those therefore that belong to the first foure of them, are no more but these two: one, concerning the nature of those places themselves, the other, as touching the gathering of them. Concerning the nature of those places themselves, it is no more but this, that, to see to, they do make much more against them (for that they note such kinde of divorce with so great reproach) than any way els they can make for them; take them to the best advantage they can. As touching the other, that is, how these doe gather vpon the, it is no more but this, that from those places it is, that they gather some part of their weake conclusions, as elsewhere in a fitter place is declared: which also is, for any thing that yet I haue found, the only benefit that to that opinion of theirs, they seeke to draw from these foure places. Those that belong to the latter two only, are much like to the others: one of them, in like sort concerning the nature of those places themselves; the other, not how weakely they gather on these, but how cleane they doe mistake them. The

nature of those places is such, as that although the text therein were such as they conceaue, yet even then also do they make but little for any divorce: the iudgement of the better sort of the learned being thereon, that neither Moses before, nor Malachie after, did simply allow it vnto the but only in respect, or to some purpose, namely, to avoid some further euill. But now, if they doe mistake them withall, so that the Text (being better considered) can neuer be found to yeeld any such sense, as hetherto they haue conceiued, nor any thing at all for the opinion that they haue taken, then must their case be so much the harder, or rather their credit, on this behalfe, so very much sunke, as that their whole iudgement therein, may well bee called in question for it.

10. This mistaking of theirs therefore being a matter of so speciall importance, it shall be good more specially to consider, first, whether they doe mistake them, or not; then, if it fall out that so they doe, what we are to gather thereon, concerning the matter wee haue in hande. That they doe mistake them indeed, will soone appeare, if first we marke how they doe take them: and then examine that their taking of them, with such things as may be able to shew vs the truth therein. How they doe take them will best appeare by their owne speeches of that matter. First therefore to begin with *Erasmus*, that was so forward therein, it shall be good to marke how he mistooke it, not only when first he gaue forth his iudgement therein: but also, when afterward hee was so impugned for it, that thereby he might haue taken iust occasion to haue looked better vnto it. When first hee gaue forth his iudgement of it, *Deuotionum*, saith hee, *ipsa lex palam indulget*: that is, The law doth plainly allow of diuorice.

How the places of Scripture were taken by them.

By Erasmus when first he gaue forth his iudgement on them.

Againe,

Sect. 79.
In Annot.
in 1. Cor. 7.
pag. 503.

Againe, *Lex permittat maritis, qualibet ex causa repudiare, modo dedit libellum repudii*: that is, That the law suffereth husbands for every cause to put away their wives, so that they give them a bill of divorcement. Againe, *pro permit- sit, ob causam quamlibet, misit uxorem*: that is, He allow- eth or suffereth the husband, to exchange his wife, for whatsoever cause he will. The same hee hath in so many other places besides (or at least the effect thereof) that it is evident, that it was not a slip in him against his own know- ledge or wil; but his owne very judgement, as he did then think that the Text it selfe would beare. As this one place more will sufficiently declare, wherein hee doth not only affirme it as before, but also doth further reason vpon it.

Ibid. p. 505.

At mihi, saith he, non fit verisimile peccaturam fuisse Iude- um, si uxorem egregie satleratam abiecerit, & alteram duxis- set domum: quum id lex palam concederet, nihil addens, hoc datum duritie cordis, praesertim cum ex sensu naturae, non pos- set fieri, quod nos interpretamur. Et si concessam est duritie cordis, ut i. q. licet, quod concedit Deus: praesertim si nullo signo declararet eos peccare, qui permissio utatur. that is, But it should not seeme likely to me that a Jew should sinne, who had cast away his wife being a very wicked woman, and mar- ried another, when as the law did plainly graunt it, not adding therevnto, that that was granted but for the hard- nesse of their hearts, especially when as, by naturall sense, that cannot be knowne, that we gather of it (meaning, as I take it, that it was graunted but for the hardnesse of their hearts which wee Christians knowe by Christ, but they could not knowe by naturall reason.) And if it bee graun- ted vnto the hardnesse of their hearts, yet it is lawfull that God hath graunted, at least, if by no signe he declare, that those doe offend, which vs. the liberte graunted vnto them.

them. By these wee may see, that *Erasmus*, when he wrote that Treatise of his for divorce for adultery and marrying againe, did plainly take it, that *Moses* in that place of *Deuteronomie*, had expressely or in plaine words allowed husbands to put away their wiues from them vpon dislike, so that they gaue them bills of divorcement withall. When afterward hee was so impugned for it, that thereby hee might haue taken iust occasion to haue looked better vnto it, yet then also, I doe not finde that ever hee espyed his former error, but that still he continued in it. Of those that did reprove him for it, we finde that he doth complaine of diuers, and defendeth his doings against them so well as he can, as against *Natalis Bedda*, and another whome he doth not name, but he giueth a by-name vnto him, as him selfe thinketh good. Among all which (for no doubt there were many more besides those) it shall not bee amisse to consider somewhat more specially of his dealing about that matter, with one of the, who may serue as a patterne thereof with the rest: as also I make choice of him rather then of any other, for that he was our owne Countryman, and by *Erasmus* but vnthankfully vsed. It was one Master *Edward Lee*, at that time sojourning at *Lovain* for learning sake, and of so good towardnesse therein, that *Erasmus* himselfe when he came thither, sought his acquaintance, and imparted vnto him, that hauing set forth his annotations of the new Testament before, he was purposed now to set them forth againe, he craued his helpe to note vnto him whatsoeuer hee thought might bee amended. Which while *M. Lee* did, and (as those daies were) in very good maner (as it seemeth by his owne defense, in his Apologie in the front of his Booke, in diuers of his Censures on *Erasmus* Annotations, and in his answer to a

When afterward hee was impugned for it,

Nat. Bedda
Tom. 9. p.
366. Ibid.
pag. 775.

Ed. Lee
In Apolog.
sua Lovanii
& Calend.
Ian. 1519.

Sec. 8.

In respon-
sione ad
Annotatio-
nes Ed. Lei-
novas ad
annot. 17.
Tom. 9, pa.
321.

In resp. ad
Epistolas
Erasmi fol.
140.

couple of Erasmus Epistles in the ende) Erasmus shewed
himselſe to bee ſo netled therewith, that even that only
doth much inſinuate, that himſelſe did now ſee, that in
ſome things he had loſt the advantage. Elſe would he ne-
ver ſo much haue ſought to ſhake him of with contempt
as he did, charging him, that *nondum ullum in profeſſione*
Theologica gradum adeptus eſt, nec aliud quam artium libera-
lium ſeptem profeſſor, that is, that as yet he had taken no de-
gree at all in Divinity, but only was a profeſſor of the ſea-
ven liberall Sciences, or as wee comonly ſay, a Maſter of
Art. As ſhortly after he giueth this frump withall, that
whereas M. Lee had ſaid, that he had left the ſtudy of thoſe
liberall Sciences, and had bid them farwell, *eodem opinor*
tempore, ſaith he, *quo dixit illis ſalve*: that is even the ſelſe
ſame time, I thinke, wherein firſt he bad them good-mor-
row: meaning thereby, that therein alſo he had profited
nothing at all, as preſently he ſaith more plainely (if more
plaine may bee) that in thoſe things that he had written a-
gainſt him, there was *nullum veſtigium honeſtae diſcipline*,
that is, not ſo much as any one token of good learning in
him: cleane contrary to that which every one may ſee,
that ſhall read M. Lees writings againſt him. M. Lee him-
ſelſe doth alſo charge him with much other baſe dealing
beſides in that quarrel, and ſuch as did not become the or-
der it ſelſe, whereof they were both alike partakers. *Uti ca-*
tera, ſaith he, *omittam, quae non tam contemptim haberi oport-*
tuit, vel huius Sacerdotii ratio fuerat habenda tibi, quo ne me
Chriſtū Domini, ipſe etiā Domini, tam ſordide ſedares. that is,
Omitting other conſiderations, in reſpect whereof you
ſhould not haue had me in ſo deepe cōtempt, you ought
to haue made ſome better accompt even on the order of
Priethood (only, though there were nothing els beſides)
than

than that you being annointed of the Lorde your selfe, should so fowly bewray me an (other such like) Annointed of the Lord likewise. But for the quarrel that was betwixt them, I meddle not with it: but leaue them both to their best advantage therein. Only thus much I gather, that whereas Mr *Le* was of such towardnes then, that *Erasmus* himselfe desired his acquaintance for his learning sake, and his special helpe therein, and not many yeares after became Archbishop of Yorke besides, it seemeth to me, that some where or other (and as likely in this as in any where els) *Erasmus* did leese some speciall advantage to Master *Le*, and so had he found in this I perceine if Master *Le* had taken the advantage of it, and had called his adversarie vnto the Originall. But *Erasmus* himselfe also being thus provoked, and much more thā so, yet he neither maketh his recourse vnto the Original: which notwithstanding in this case had beene much better, than so to labour the disgrace of those, that so wel had occasioned him to take that course. And nowe not to trouble the Reader with the like sentences of others (which notwithstanding I thought to haue done, & had provided them accordingly) least so I might haue growne tedious therein, I will no more but note whō I haue noted besides so to haue missed, & the places where those misses of theirs are to be found: namely *Musculus*, on the fist of *Matthew*, pag. 111, *Peter Martyr*, in diuers places, on the 1. *Cor.* 7. and, as it is placed in his *Common Places* Sect. 52. and 66. pag. 301, 355, & 6. *Calvine*, in his *Com:* on the *Harm.* of the *Gos.* pels, on *Mat.* 5. 31. and 19. 7. *Gualter*, on *Marke* 10. & *Malachie* the 2. fol. 399. 8. *Chemnicus* in his second part of the *Exam:* of the councel of *Trent* Sect. 8. *Can.* 7. pag. 288. 8. *Beza*, in diuers places of his Booke *de repudijs & divorcijs*, a

Musculus

P. Martyr

Calvine

Gualter

Mart. Chy

nicus

Beza

Sect. 11.
Steph. Sze-
gedinus,

mong his *Opusc. vol. 2. pag. 113, 15, & 17.* And last of all
Steph. Szegeginus in his *Tables of Common places. pag.*
348. 49. For that of *Malachie*, I haue not noted that *Eras-*
mus hath medled with it, but *Musculus*, *Peter Martyr*, *Cal-*
vin and *Gualter* in the places before recited, and all others
generally, that are for divorce & marrying againe (so ma-
ny of them as yet are extant that I haue seene) doe even so
take it, after one and the selfe same manner.

That so
taking the
they did
mistake the

First that
place of
Deutero-
nomic. 24:
14.

Per eū fa-
ctū est &c.
Trem. Juni-
us,

Num. 5: 13.
15

II That in such sort taking those Texts, they doe (it
may wel be, and is most likely) cleane mistake them, it will
best appeare by the several consideratiō of either of the
first, that of *Deuteronomie*; then, that other of *Malachie* also.
For that of *Deuteronomie*, first we haue certaine probabili-
ties, that it was never intended there, to giue any licence
of such Divorce: then also (as I doe take it) much other
good prooffe besides. Those probabilities that we haue,
are some of them, out of the Text it selfe: and one besides,
out of the practice of the godlier sort amōg them. Those
that we haue out of the Text, are two: one, out of that
place of *Deuteronomie*; the other, out of the fift of *Num-*
bers. In that place of *Deuteronomie* we plainly see, a kinde
of punishment to be cast on him that so had put away his
wife, namely, that if shee had married another, hee then
should never haue her againe: and, to be giue in, in reason
thereof, that thereby shee is defiled; and that her defiling,
in the iudgement of some, laid vnto his charge also. If the
the selfe same Text doe not only something punish him
for it, but also charge him with defiling of his wife besides,
eue only by that putting of her away at the first, it is most
likely, that no such thing is in that place allowed. That o-
ther out of the fift of *Numbers*, is that lawe of Iealousie,
which (being an harder course than this, and a great deale

more

more busie; and a peculiar remedie ordained when a man hath his wife in suspition of adulterie, or when as it was so indeed, but without any witnes; and not allowing the man to go any farther, but to hold himselfe cōtent, if she, in such sort as there is set downe, should make her purgation) doth every way, me thinke, insinuate, that then there was no so easie a way as this, for a man (for lighter matters) to be rid of his wife when he would, and the same to stand good by the word of God. That which wee haue out of the practice of the better sort among them, is that same which the learned haue noted (as before I haue partly touched) that in al the Scripture we never read of anie of the better sort, that ever vsed the helpe of divorce: which notwithstanding, it is most likely, that many would haue done, if they had taken it, to haue beene so plainly, by God himselfe, permitted vnto them. That other good prooffe that we haue besides, is the Originall or Hebrew Text and that by the iudgement of diuers learned; & some of those that were for this Divorce and marrying againe, but since haue amended the mistaking that they had of the Text. The prooffe that we haue in the Originall or Hebrew Text, and that by the iudgement of diuers learned, is, that now it is found to be otherwise in the Hebrew, than our Trāslators, either old or new (a few excepted) of long haue borne vs in hand that it was: namely, that it is not, he shall write a bill of divorcement, or, let him write a bill of divorcement; but only, that he putteth the case if so a man should doe, and not that it alloweth the same. And the learned that now haue mended this oversight of old that long hath stood as currant among vs, are these. First, to my knowledge *Franciscus Katablus* the professor of the Hebrew tongue at Paris, and after him *Benedictus Arias*

Sect. 11.
Ar. Montanus,
Im. Tremellius,
Fra. Iunius,

M. Calvine,

in Harm. in
ll. Legis. p.
364.

Montanus a Spaniard, that had the chiefe oversight of the setting forth of that great Bible at the charges of the King of Spaine, and last of all *Immanuel Tremellius*, and *Franciscus Iunius* together. All which in their Translations haue very plainly amended the same: & declared withall, that in that place there is no mention at all, of any divorce allowed vnto them, if recourse bee had to the Hebrew it selfe. Those that were for divorce & marrying againe, and that first hauing erred in this Text that now we speake of haue since amended the same againe, are two, and those of speciall account among vs, as of good right they ought to be: *M. Calvine*, the one; and *M. Beza* likewise the other. As touching the former of them, whereas, setting forth his Commentaries on the Harmonie of the Gospels in the yeare 1555. he then was of opinion (as before I haue noted, and is there to be seene of any) that *Moses* had commanded, a Bill of divorce should in such case bee giuen to the wife: afterward, hauing further occasion to looke better vnto it, by gathering foure of the Bookes of *Moses* into an Harmonie also, which accordingly he did, and published it about eight yeares after, in the yeare 1563. he did then amend his former reading of the Text it selfe, and in his Commentarie therevpon did set downe his iudgement accordingly also. As, among other things of that nature, he cometh in with these words following. *Quidam interpretes non legunt hos tres versus uno contextu, sed plenam sententiam esse volunt, ut maritus testetur se diuortium facere cum uxore, non ob crimen, sed quia forma venustas eius libidini, non satisfaciatur. Si quis tamen propius attendat, facile videbit, unum esse duntaxat Legis caput, nempe, ubi quis uxorem repudiauerit, fas non esse iterum eam ducere si alteri nups-erit.* that is, Certaine interpreters (among whome him-

selfe

selfe was one, a few yeares before) do not read these three
 verses (there be foure in all, & so doth himselfe ioine the)
 in one period: but will haue one full sentence to bee, that
 the husband testifie, that he doth not divorce his wife for
 any crime, but because her beauty or favour did not con-
 tent him. But if any do better mark it, hee shall plainly see
 that the law that there is set down, hath but one braunch
 only, which is, that whē any hath once put away his wife,
 it should not be lawful for him to take her againe, if in the
 meane season shee had married another (albeit the other
 were now dead, or had put her away likewise.) Where al-
 so it is to be noted, that now he accounted it to bee verie
 plaine, for that hee saith, that a man that heedeth it, may
 plainly perceiue it; and that so he insinuateth, that it was
 but want of heede taking that therein deceived many be-
 fore, as yet also it doth, where it is not the better heeded.
 Yet diuers then began to espie it, and in *Varablus* his Bible
 of 1557. it was plainly noted, aboue fiue yeares, before
 that M. Calvine published this that now wee speake of.
 Master Beza, for any thing that yet I haue found, is not so
 plaine herein, as is M. Calvine, yet hath he enough of this
 also, to content any reasonable man. For whereas in that
 Treatise of his, *De repudiis & divortiiis*, which he publish-
 ed 1573. he sheweth himselfe diuers times so to haue mis-
 taken that place, as others before were wont to doe, and
 that so strongly, that out of the same hee reasoneth also,
 that it could not bee that a man was bound to forgiue his
 adulterous wife (by that example of God objected out of
 the 3. Chapter of Ieremie, and the first verse of it) for that
 then it should follow, *illos peccasse qui legem illam Moysis ser-*
uarunt, cuius ibi facit mentionem Ieremias, quod absurdum
est dicere, quum eam è contrario seruari oportuerit: that is,
 that

lb. pag. 115.

115.

Sect. II.

Ben. Ari
Mont.Lex Dei
etc.
Pag. 75.
Fr. Varab.
Tremellius.
Jun.

Ib. pag. 115.

that they should sinne which did not obserue that law of Moses, whereof mention is made Ier. 3. 1. which were absurd to say, when as, on the other side, it was to bee obserued. (which whence it cometh, was apparant enough, if it be tried by the rule which M. Calvine before set down; and then so much the rather to bee condemned thereby, as we may plainly see, by the consideration of the time, that that wonted oversight of mistaking that place was espied, & noted so neere vnto him, sixteene yeares before that he did publish this booke of his:) yet afterward (where Benedictus Arias Montanus also had publikely noted that wonted oversight againe, two yeares before) hee, in the yeare 1577, in that booke of his which is intituled *Lex Dei moralis, ceremonialis, politica*, so setteth downe the Text it selfe, as *Varablus*, and *Arias* had done before, and Tremellius and Iunius since (and according as the Hebrew it selfe is) saving that he maketh a full period at the ende of the first sentence, whereas there is none indeed, nor ought to be, till the ende of the fourth, which might easily bee the fault of his Printer. And so, by his owne reading now, it is no *absurd thinge* to say, that those of the Iewes sinned which then did put away their wites; neither was that law so to be kept, neither did Ieremie make mention of any such law of Moses, neither did Moses ever make it. The which, I thinke we neede no more for this matter. But if we doe, then himselfe also, even in that his Booke *de repudiis & divortiis* doth acknowledge withall, that *eiusmodi divortia etsi lege civili tolerabantur, tamen in foro conscientie nunquam licuerunt*. that is, that such divorces, although they were tolerated by the Civill Law, yet in court of conscience they were never lawfull. Where we may note, that although it bee restrained only to such divorces;

voces; yet now he graunteth, that which he accounted the law of God before, is of no force in the court of conscience: a matter sufficient, being well considered, mainly to crosse the force of the other.

12 Concerning that other of Malachie, we haue not so much for it, in respect of the words or letter of it: but yet somewhat more, if we goe to the meaning, as there it is applied against the people then. For as touching the words or letter of it, neither Vatablus, nor Arias Montanus did for this matter swarue from the wonted reading: but then we haue, both the judgement of the Septuagint of old, and Tremellius & Iunius of late that doe. The Septuagint read thus (as Ierome himselfe doth set downe;) *Sibi odio habens dimiseris eam, dicit Dominus Deus Israel, operiet impietas cogitationes tuas, dicit Dominus omnipotens.* that is, If hating (her) thou shalt put her away, saith the Lord God of Israel: impiety shall cover thy thoughts, saith the Lord Almighty. By which reading of theirs wee may plainly see, that they giue not liberty vnto him that hateth his wife to put her away: but plainly shew, that the Lord misliketh it, if so he doe. But Tremellius and Iunius doe plainly alter the reading also, referring the hating that there is spoken of, vnto the Lord, that he doth hate all such putting away of their wiues. For whereas the common and wonted reading of the place is, *If thou hatest her put her away saith the Lord God of Israel:* their reading now is, *Sibi odio esse dimissionem ait Iehova Deus Israelis.* that is, That the Lord God of Israel saith, that he hateth such putting away. As touching the sense or meaning of this place notwithstanding the reading stand as it was wont, *Sibi odio habens dimitte &c.* First M^r Calvine saith thereon, *Hic rursus Propheta exaggerat crimen illud, quod pro nihilo ducitur*

Then that
ther place
of Malachy

2:16,

V. tab.
Mont.

Septuag.
Trem. un.
Tom. 6, fol.
13.

well
distinguish

to give

in Malachy

16 pag 779

-druw

E

Sect. 13.

Sacerdotes, dicit enim gravius eos peccare quam si uxores repudiarent. Scimus tamen repudium nunquam fuisse permis- sum divinitus, proprie loquendo, nam et si fuit impunitas sub Lege, non tamen fuit permissio that is, Here againe doth the Prophet exaggerate that crime, that the Priests did make so little account of, for he saith that they sinne more gre- vously, then if they had put their wiues away. But divorce we knowe was never permitted of God, if we speake pro- perly. For although there was no punishment for it vn- der the law; yet was it never permitted. And after againe, *Hac igitur ratio est cur Propheta nunc dicat, Si odio habeas di- mitte: non quod veniam concedat repudio, quæadmodum dix- imus: sed ut hac circumstantia crimen augeat.* that is, This therefore is the reason why the Prophet doth now say, If thou hate (her) put her away; not that he giueth them leaue to divorce, as before we said; but that by this circū- stance he sheweth the fault to bee so much the greater. Which also is the iudgement of others. So in the former of these two places we finde, not only the Hebrew it selfe and divers of the learned (of speciall account) to shew that the place was cleane mistaken before: but also, some of the chiefe of those that are for divorce and marrying a- gaine, in effect to acknowledge their former oversight therein. In the latter we haue, both those seauentie Inter- preters of old; & two of speciall account of late, to shew the very letter therein also to be mistaken: and, though it doe stand after the wonted manner of mistaking; yet that the sense is such, as in no wise alloweth them so to doe, as the words doe seeme to leaue vnto them.

How far
this mistak-
ing of
theirs is to
be vrged as
gainst the

13. What we are to gather thereon, concerning the matter that we haue in hand, is now to be seene: a matter that may be in few words sufficiētly opened; but yet not-
with-

withstanding so much the meeter to haue a distinct place by it selfe, as it is good that it should appeare how farre it stretcheth, or what bounds they are we prescribe vnto it. For otherwise it might arise in the conceit of some to thinke, that my meaning is, out of the credite or learning of these that I haue brought in, to shew how farre those that are for diuorce and marrying againe, haue mistaken these places afore said, to conclude that those places must needs be so as these others haue now translated them; or at least, that their opiniõ therein is the likelier of the two: and therefore that those that otherwise tooke them, were therein without question deceived; or at least, of the two, most likeliest to be. And the truth is, that my selfe am so perswaded, as I haue already declared: & haue no doubt, but that therein I am not wrong. But yet that is not the thing that now herevpõ I mean to infer, because I haue no need at all so far to vrge either their credite or learning therein. My purpose therefore is no more but this: to shew that such as think they haue warrāt enough in the word of god to put away their wiues for adultery & to marry againe, for that so many of the learned (& of the reformed Churches, as some do like rather to say, though in this there be no reformation at al) are of the same iudgement likewise; may neuerthelesse finde hereby, that their warrant is not so sure, as they before had thought that it was. Vnto which (so lōg as we go no farther thē so) we haue no need so farre to vrge them; but may wel enough content our selues with this, that those places are not so taken by all, but that there is, among the learned themselves, a manifest diuersitie of iudgment therein: leaving the deciding, or the over-ruling of the question it selfe, to fall out vnto those that shal haue the better part in it; and the desire of

it, to those likewise that shal need it more than we. It is enough for vs, vnto the purpose that now we haue in hand, to be able to shew, that diuers of the learned (and those of good account likewise) do not allow such help vnto them, as out of those places they thought that they had. Now, whether those that do allow it, or those that now withdraw it frō them, are the righter, or neerer vnto the truth therein, that wil we not sticke to refer to a farther time to be farther decided (if neede be) among the learned themselves: vrging it no farther at this present, but that it is not to be accounted an vndoubted truth, or a point out of question, that any liberty was at any time given, by the law of God, so easily to put away their wiues, as those places imported, as hitherto for the most part they were delivered vnto vs. For so wil it plainly enough fall out, that whereas the most of our learned that are for this kinde of divorce and marrying againe, doe much the rather, as I doe take it, incline therevnto vpon supposal that *Moses* first, & *Malachie* after, had allowed it for lesser causes vnto the Jewes (so inferring, that then those words of Christ, that are of that matter, might wel inough be take, as if Christs meaning therein had beene, that for adultery himselfe also did allow it vnto vs:) now finding, that it is not certaine, that any such liberty was at any time, by any word of God granted to any, it is not vnlikely, but that themselves will be better advised of it, and rather search out some other meaning of those words of Christ, than to make him (as els they must be faine to do; and as after I trust to make it more plainly to appeare) both the first and the last in all Scripture, that ever allowed any divorce and marrying againe, and the only man of al the Prophets that went before, & of al the Apostles that followed after, vpon who
not

not only that marrying againe, but even divorce it selfe must stande; especially, when as they know, and readily grant, that he came to vphold al the whole righteousness of the law of God, and to loose none (though never so little) to any one iot of fleshly liberty whatsoever.

14 As touching those other places of theirs, namely, such as are for marrying againe (wherein consisteth al the residue of the strength that they haue, for this conceived opinion of theirs) they also are only two: both of them in the New Testament, and the words of Christ himselfe: & nevertheless such, as when they are wel examined, I beleeue wil helpe them but little neither. Which that wee may the more orderly finde, I hold it best, first to see what considerations we haue, that may induce vs to that perswasion: then, to examine the places themselves, for the true sense and meaning of the. Those considerations that now I speake of which may wel induce vs so to think, that in these also they haue no sufficient groundworke of that their opiniō, are especially two: one, take out of the iudgment of others therein; another, arising out of that which themselves haue set downe for that matter. That which is taken out of the iudgment of others, is, that same that by other occasion before I touched, that the most part of men are against them herein: and yet haue those places as wel as they, and are as careful to leane them vntouched, (even at the ful) vnto the sense that they ought to haue. Who being as they are, both equall in learning (for anie thing that yet we know to the contrary) and more in number without comparison, may easilie induce those that stande indifferent (so long as the others bring not better proofes to the contrary) to doubt lesse danger in abiding with them, vnto that resolution that being tried by long

Of those places that are for marrying againe that they also will help them little.

The iudgment of others against them

it, to those likewise that shal need it more than we. It is enough for vs, vnto the purpose that now we haue in hand, to be able to shew, that diuers of the learned (and those of good account likewise) do not allow such help vnto them, as out of those places they thought that they had. Now, whether those that do allow it, or those that now withdraw it frō them, are the righter, or neerer vnto the truth therein, that wil we not sticke to refer to a farther time to be farther decided (if neede be) among the learned themselves: vrging it no farther at this present, but that it is not to be accounted an vndoubted truth, or a point out of question, that any liberty was at any time given, by the law of God, so easily to put away their wiues, as those places imported, as hitherto for the most part they were delivered vnto vs. For so wil it plainly enough fall out, that whereas the most of our learned that are for this kinde of divorce and marrying againe, doe much the rather, as I doe take it, incline therevnto vpon supposall that *Moses* first, & *Malachie* after, had allowed it for lesser causes vnto the Jewes (so inferring, that then those words of Christ, that are of that matter, might wel inough be take, as if Christs meaning therein had beene, that for adultery himselfe also did allow it vnto vs:) now finding, that it is not certaine, that any such liberty, was at any time, by any word of God granted to any, it is not vnlikely, but that themselves will be better advised of it, and rather search out some other meaning of those words of Christ, than to make him (as els they must be faine to do, and as after I trust to make it more plainly to appeare) both the first and the last in all Scripture, that ever allowed any divorce and marrying againe, and the only man of al the Prophets that went before, & of al the Apostles that followed after, vpon who

not only that marrying againe, but even divorce it selfe must stande; especially, when as they know, and readily grant, that he came to vphold al the whole righteousness of the law of God, and to loose none (though never so little) to any one ior of fleshly liberty whatsoever.

14 As touching those other places of theirs, namely, such as are for marrying againe (wherein consisteth al the residue of the strength that they haue, for this conceived opinion of theirs) they also are only two: both of them in the New Testament, and the words of Christ himselfe. & nevertheless such, as when they are wel examined, I beleeue wil helpe them but little neither. Which that wee may the more orderly finde, I hold it best, first to see what considerations we haue, that may induce vs to that perswasion: then, to examine the places themselves, for the true sense and meaning of the. Those considerations that now I speake of which may wel induce vs so to think, that in these also they haue no sufficient groundworke of that their opiniō, are especially two: one, take out of the iudgment of others therein; another, arising out of that which themselves haue set downe for that matter. That which is taken out of the iudgment of others, is, that same that by other occasion before I touched, that the most part of men are against them herein: and yet haue those places as wel as they, and are as careful to leane them vntouched, (even at the ful) vnto the sense that they ought to haue. Who being as they are, both equall in learning (for anie thing that yet we know to the contrary) and more in number without comparison, may easilie induce those that stande indifferent (so long as the others bring not better proofes to the contrary) to doubt lesse danger in abiding with them, vnto that resolution that being tried by long

Of those places that are for marrying againe that they also will help them little.

The iudgment of others against them

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experience, is much more likely to be lesse faulty: than, so quickly to turne vnto others, to the imbracing of a latter iudgment, so lately (to speake of) sprung vp among vs, and so newly broached vnto vs. By which kinde of reasoning albeit no certaintie bee to be concluded: yet neither may the probability be wel neglected. A certaintie cannot be thereon concluded, because neither as yet is it to be taken as proved by vs, or granted by them (for some there are, that so much as they may, do leane to the contrary) that they haue the greater number against the: neither, if they had, were that any certaine prooffe that they were wrōg. Yet, on the other side, the probabilitie (for both) being so faire as it is, it leaveth so good a coniecture thereby, that such as take the contrary course, may finde themselves to be excluded frō all good hope that they are right: at least, that it is not a thing out of question.

Their own
defects such
as wel may
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iudgement
suspected.

15 That consideratiō that ariseth out of that which themselves haue set downe, is no more but this, that even their owne manner of handling this matter is such, as that diuers defects appeare therein, both in weake reasoning: and in diuers inconvenient speeches besides. As touching both which, before we come to exemplifie or to shewe wherein they do it, it shal not be amisse (especially to put away such evil surmises, as otherwise might arise hereon) more distinctly (yet briefly) to set it down, both how farre we may charge them with those defects: and how far we may thereby iustly conclude against them. As touching the former, we are not so farre to charge them, as though (vpon the principles that they conceiue) they had no arguments to be regarded, or that orderly did conclude; nor that inconvenient speeches with them are so rife, as that therein only there is sufficient cause to cōdemne the mat-

ter it selfe: but that they do often vse such, as are no good arguments indeed; and that diuers times they haue inconvenient speeches likewise. But yet by their patience (now to take in the latter withall) they haue both these so much and so often, that thereby they may iustly breed suspicion in others (even in as many as read with iudgment, & stand indifferent) that they are somewhat partial therein, & are carried not a little with some private affection whatsoever: that in vsing so often so weake collections, they doe plainly insinuate, their store of stronger was not so great; and that in adding such inconvenient speeches withall, others might iustly doubt, that then they were so far out of temper, as that they might overshoot themselves, even in that also that is in question.

16. Wherein these defects of theirs appeare, is now to be seene; and first how weaklie oft times they reason; then, what incōvenient speeches they haue besides. Those reasons of theirs that now I speake of, doe most of them depend either on the things herevnto appertaining; or, on the authoritie or testimonie of others concerning the same. The things herevnto appertaining, are either the selfesame that are in question; or else certaine others, of such a kinde, or so neere vnto them, that from them they draw certaine reasons to these likewise. Of the selfe same that are in question, there are two sorts: one, that is of the substance of them; others, that are but accidentarie therevnto. That which is of the substance of them, is the nature both of adultery, & wedlock it selfe in this respect. Out of the consideration of which because they doe so vsually reason, therefore it shall bee good for vs to note, both what reasons they are; and of what force wee may take them to be. The reasons that thereon they bring, are such

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Sect. 16.

First to
take away
an obiection

Mat. 19: 6.

1. Cor. 7. p.

499.

In Mat. 5.

pag. 114.

Then to
expresse
their owne
meaning
therein.
Ibid.In Mat. 5.
p. 113.

such as bind all vpon this, that the nature of Adulterie is such, as that it doth quite dissolue whatsoever band there was in marriage before: and that that was the cause, why Christ made his exception only of it. And so they reason, not only to take away an obiection that otherwise would bee strong against them: but also to expresse their owne opinion or iudgement therein. The obiection that otherwise would bee strong against them is that coniunction that God had put betwixt man and wife: wherevpon it is inferred by Christ, *Quod Deus coniunxit homo ne separet*; that is, that which God hath coupled, let not man put asunder. For answer wherevnto, Erasmus first saith, that *nullo negotio solvi potest. Hoc Deus coniunxit, quod rite coniungitur: hoc Deus dirimit, quod rite dirimitur*. that is, That doubt, saith he, may easily be loosed. For that, saith hee, did God ioine together, which was rightly ioined: and that doth God himselfe put asunder, which is well put asunder. And Musculus after, following the same, answereth, that *illi non rumpunt coniugii vinculum*; but that the adulteresse *sua perfidia iam ante adulterando ruperit*: that is, that they, (who in such case put away their wiues,) doe not breake the band of marriage; but that the adulteresse by her disloyalty in committing adultery brake it before. To expresse their owne opinion or iudgement therein, both these and others, doe otherwise set downe that same for the truth of their doctrine for that point. For first Erasmus saith; (*Divortium*) *Christus astringit ad unam adulterii causam, non quod non sint alia flagitia adulterio sceleratiora: sed quod adulterium tota ratione pugnet cum coniugio. Matrimonium e duobus unum facit: eam copulam diffecat adulteriu*. Musculus likewise, being to shew for what cause marriage may be dissolued, saith, *Vna causa est quam Deus*
ponit

ponit dicendo, Nisi causa stupri. Nam hoc crimine conjugalis fides dissoluitur. Againe, Excipit causam stupri, significans tū
 licere &c. Quia, quod Deus conjunxerat, per adulterium divi-
 dit, mariti fidem obnoxiam sibi iam amplius non habet, &c.
 Nam nemo alterius improbitate, ius suum quod à Deo habet,
 &c. amittere debet. Againe, speaking of an adulterous wife
 Marito amplius non vivit, sed ei cui perfida & adultera adhe-
 ret. Mr. Calvine likewise, Merito abijcitur mulier, quæ perfi-
 de coniugium violavit: quia eius culpa, abrupto vinculo, liber-
 tas viro parta est. Againe, additur tamen exceptio, quia muli-
 er scortando se quasi putridum membrum à viro rescindens,
 eum liberat. Gualter also, being of the same minde maketh
 his reason to be, for that the adulteresse coniugii vinculum
 perfide dissolvit, or otherwise seeth not, but that adulteris
 & scortatoribus coniugii dignitas patrociniabitur, quod Deus
 ut istis uterentur, instituit. Last of all, Beza answering an
 argument, that so it might come to passe, that one man
 should at once haue more wiues: Respondeo, saith he, in hoc
 argumento esse petitionem principii. Presupponit enim id ip-
 sum, de quo queritur: manere nempe vinculum matrimonij et i-
 am post divortium. Concedo igitur vni viro non licere plures
 uxores habere: sed addo, uxorem esse desuisse, quæ propter adul-
 terium se à viro separavit. And anon after, Coniugii vincu-
 lum abruptit, quisquis factus est scortationis membrum. And
 after that, Concludo igitur, adulterio abrupti non tantum v-
 sum, sed vinculum: quod nisi voluntate innocentis rursus
 coalescit, integrum esse eidem innocenti, si continere nō potest,
 novas nuptias inire. &c. And lastly, Convictus adulterii, ma-
 ritus esse desinit. The effect of all which, concerning the
 matter that now we speake of, is no more but this, that (in
 the iudgement of all these) by the adultery of either of the
 parties, the bond of matrimonie that was betwixt them, is now

Pag. 113.

Pag. 114.

P. Martyr

allo. loc.

c. m. claf. 2.

c. 10. sec. 71.

n. Mar. 5:36

In Mar. 19.

In Mar. 10.

Pag. 121. b.

In lib de

Refud. &

divor. pag.

110, 111.

In lib de

Refud. &

divor. pag.

110, 111.

Pag. 12.

Pag. 113.

Pag. 116.

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Which
iudgement
of theirs is
further ex-
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dissolued, and broken againe. Which if now we may a little examine (notwithstanding that so great men haue so resolutely overruled the same already) it seemeth much rather vnto me, that the band of marriage is of that nature, that it is not in the power of either of the parties, nor of both together so to breake it, that now it bee to stand as altogether broke betwixt them. For there are, if we mark, two sorts of bands wherewith they are bound the one to the other: one sort, that concerneth those parties themselves, that so doe ioine themselves together; the other, that concerneth certaine others, that ioine with them in that action likewise. Those that concerne the parties themselves, are two: one, of the husband; the other, of the wife. For though they both doe concur in time, so neere as may bee: yet, both some little difference there is, such as it is (the one going a little before, and the other following somewhat after) and well they may bee severally considered, as distinct things in themselves; as when ships doe grapple together, and not by the grapple of either of them, but when each of them doe fasten their grapple on other. Those others that ioine with the therein, are, God himselfe, and his vicegerents on earth among vs: both which doe ioine in that action with them; and, when first they haue so tied them (and that, with a severall band for either) then doe they tie them also with other bands besides, even with one severall band for either of them. And so cometh it to passe, that every party that is marryed, is, by the vertue of that marriage, bound fast to the other in foure severall bands: one of his owne; the second, of his yokefellow; the third of the magistrate, or of the Government vnder which they liue; and the last, of God, or of his holy ordinance. Wherevpon we thinke

4. Bands.

eth that whatsoever it is, that may bee thought to bee of force to dissolue the band of matrimonic, had need to be such, as wherein the whole interest of all these parties, and of every of them, is to concur in full, and lawfull consent: or else, whatsoever is, or can be done, by either of those inferior parties, neither is it, neither cā it be of such force as to dissolue the whole band, which was knit not only by themselues (and by either of them, for their part severally) but also by others that are their superiors, and whose leaue first they must haue. Or otherwise, that it were in effect no better, but as if one should reason affirmatiuely from the part to the whole: that seeing one of the bands is by one party broken (and but so far neither as that party may) therefore the whole band is broken betwixt the, and now as loose as ever they were. Which how vitious it is, we may (as I take it) much better perceiue in some other such like, wherein we are not as yet by preiudice so forestalled, nor our affections so blinded neither: in that band that is betwixt the Master & the servāt. For though the servant doe behaue himselfe as il as may be, and directly against the nature of his service, either generally or specially in that which more properly is cōmitted vnto him; and whereby himselfe hath so far deserved vtterly to bee cast off: yet, if either the Master haue absolutely takē him into his service, and to doe for him without exception, & not only for better, but also for worse, and much rather if God doe require, that as yet he cast him not off, or if but the lawes doe not allow him so to doe, in all these cases we may see some bond of duty, so farre as yet remaining and standing in force betwixt them, as that it were hard for any to iustify, that after such a lewd part of the servāt, now there were at all no band of that duty remaining be-

Sect. 16.

twixt them. And the lesse there is to be said against it, but that in such sort a man might so reason against divers conjunctions besides (as of that which is betwixt Parents and children, and of that likewise that standeth betwixt the Prince and the Subiect) the more heed should bee taken, that no such gap should be opened to any, as wherby the looser sort, whē they should get their desire in this, should cast about to obtaine the like in other things also of greater consequence. In which respect I do so much the more marvell that Mr. Calvine, so iudicious a man as he was, & being in so good a way vnto this consideration, as that time also he was, when he did set downe that iudgement of his, as before is declared: yet notwithstanding did not take the advantage or benefit of either of them, so as here in hce easily might. For in that place before recited, his words that goe immediatly before, are these: *Sanctius est cōiugij vinculum, quā ut hominū arbitrio vel potius libidine solvatur. Tamen si enim mutuo consensu sese coniungūt vir & uxor, Deus tamen nodo indissolubili eos astringit, ne postea liberum sit discedere. Additur tamen exceptio, Nisi ob fornicationem. Merito enim abiicitur mulier, &c.* that is, The bond of wedlocke is a thing more holy, thē that it may bee dissolved when men themselves wil, or rather when their lust doth moue them vnto it. For although man and wife doe ioine themselves together with mutual consent: yet doth God (farther) tie them together with a knot that cannot be looked, that afterward they haue no liberty to part in sunder againe. And hitherto wel: but then he addeth, yet, saith he, an exception is added, Vnlesse it be for fornicatiō. For the woman is iustly cast of who disloyally hath broken wedlocke, and so forth, as before. Wherein we see that he noted two distinct bonds in the parties theselues by mutual

ruall consent, or that the man had bound himselfe to his wife, and the wife likewise to the man; then also, that God (aboue them both) had likewise ioined them together neuer to part: and yet notwithstanding in the end he alloweth the bond to be (wholly) broken by one party onlie, following therein the iudgement of others, and vpon perswasion, that such must be the meaning of those words of Christ, which afterward I trust to shew may rather haue some other meaning. Againe, put case that there were no band but one, even that alone wherewith the adulterous wife since, had before tied her selfe to her husband. Even in this case also me thinke it were harde for any to holde, that such lewdnes of hers, had altogether broken whatsoever band of mariage there was betwixt them: for that in such case it is so generally held by al, that whatsoever kads the wife brought with her, they stil are the husbands, even by the vertue of that bond that was betwixt the. Whereas otherwise when the bond is dissolved by death indeed, the (if he haue no farther interest) he is to part with them likewise. So in such case the bond may in some sense bee accounted to be broken indeed: but rather, in respect of diuers benefits that by her marriage shee might otherwise claime, than that the bond in it selfe should stand as broke, vnto them both generally, or to set them as loose, or as free to marrie againe, as they were before. And so doth *Erasmus* himselfe afterward interpret one of those his speeches of that kinde. For whē he is reproved by *Natalis Bedda* for that he said, *Iam uxor esse desijt, quae se miscuit alteri viro*, that is, Shee doth now cease to be a wife, that hath committed adultery with another, his answere is this, *Ag-*
voscebat vulgatissimum tropum Bedda, sed captabat animum ca-
lumniandi. Sic filium esse negamus, qui degenerat à paternis

Nat. Bedda

Suppurati-

one. Bed-

dx. 22.

Tom 9. pag

472.

Sect. 16.

*moribus, qui meruit abdicari, & tamen manet natura vinculum. Sic episcopum esse negamus, qui indignus est hoc nomine, & tamen manet consecratio. Sic Christianum esse negamus qui moribus est impijs, & tamen non tollitur baptismus. Ita mihi dicta est uxor esse defuisse, quae se fecisset indignam uxoris nomine: that is, Bedda himselfe woulde not haue denied, but that we vse so to speake, but hee desired to picke out some occasion of flander. So do we deny him to be a son, that doth degenerate from his fathers waies, who hath deserved to be cast of: and yet the bond of nature remaineth. So do we deny him to be a Bishop, who is vnworthie of that name: and yet his consecration abideth. So do we denie him to be a Christian, that is of a wicked behaviour: & yet is not his Baptisme abolished. In such sense did I saie that shee ceased now to be a wife, who (by her own lewd demeanour) had made her selfe vnworthie to be so taken. And therevpon bringing somewhat such like, both out of Chrysostome, and out of Ierome, he concludeth: *ut igitur est vir non vir, uxor non uxor, ita est conjugium non conjugium*: that is, As therefore a man is not a man, a wife not a wife, so is marriage no marriage. Which interpretatiō of his owne words though himselfe, by that occasion, did afterward so plainly giue, yet others that followed him (with out any stop) in that manner of speaking, did frame their iudgement also thereafter, and so gaue in their resolution, and not after this latter qualification of his: a thing, in my iudgement, vnto the purpose that now we are in, right worthy the marking. And thus for them all. One thing more in one of them there is, that needeth to bee warily taken, or else may easily breede a further error: namely, that Erasmus by those words of his, may seeme not to allow, the ioining together of man and wife, to be of God,*

but

but only whē it is orderly done. For out of it there might be a gap opened for men, to reason shrewdly for the dissolving not only of marriage, and but for adultery; but also of all other societies, and subiections, almost; and for lesse trespasses, and lighter indignities, then adultery also. So that, for this first argument of theirs, that, if here either partie commit adultery, then is there no further any band of wedlocke standing betwixt them, I trust it appeareth, that it is not so cleere, but that as yet some question may be conceiued of it.

17 Those that are but accideñary therevnto, are partly some abuses going before: but especially, diuers inconveniences following after. The abuses going before are such as are already touched among the former reasons: namely, whensoever marriages are, either one way or other, so disorderly made, as that thereby occasion is given of so deep discōtētimēt, that to require the band of wedlocke thereon to be broken, may seeme to be a iust request. And disorderly may mariage be made, when as it is made betwixt such, as in whom there can be no sound election at all, as in children and fooles: or betwixt those, that, though they bee such as might soundly chuse, yet notwithstanding do so plainly bewray themselves to be carried away with ambition, covetousnesse, or inordinat lust, that thereby they make it cleere, that therein they follow no sound advise. In which cases, and in such like, it is very true, that great disorder is committed, and that the same is rise amongst vs. But yet if Erasmus, as before I noted, or any other would thereon conclude, that in reason some ready way should be had among vs for divorce and marrying againe, for the better amendment of those abuses, or that the Apostle himselfe were not vnlikely to beare

How weakly they reason in such things as are but accideñary. Sect. 7. Vpō abuses

In 1. Cor. 7. pag. 50.

with

Sect. 17.

Vpon incon-
ueniencies.

with vs further therein, then now wee will allow that hee doth: this were no doubt but a weake collection, and in no wise to stand for any sound reason to vrge vs vnto it. The inconveniences that follow after, are most of them noted to be in the parties themselves that are so vnequally knit together: but one, that cōcerneth others also. Those that are noted to bee in the parties themselves, are of two sorts: some, that doe concerne them both indifferently, others, that concerne but the innocent or faultlesse person only. Those that doe concerne both, are all such evils, as vpon such marriages are wont to vex both the parties so ioined together, which indeed are many and greate. Of which Erasmus *Videmus autem*, saith he, *tot hominum millia infelici coniugio sibi coherere cum exitio utriusq;: qui fortasse disiuncti seruari possent.* that is, That we see many thousands that cleaue together in their vnlucky wedlock to the destruction of them both: who, it may be, if they were sundred againe, might so be saued. And therevpon he inferreth, that if it might be done *citra iniuriam diuini precepti*, that is, without any breach of Gods commandement, then were it at least to bee wished: and his reason is, because it is *Apostolice pietatis, omnium saluti quantum licet consulere, & infirmis etiam Ecclesie membris sua cura succurrere.* that is, appertaining vnto Apostolike piety, so much as may be to endeavout the salvation of all, and especially to be helping vnto the weake members of the Church. Those that cōcerne the innocent parties, are such as more specially haunt them. For whome it is, that elsewhere he reasoneth, that *tales sepe existunt cause, vt crudele videatur non succurrere periclitanti:* that is, that oftentimes there are so iust causes, that it may seeme to bee no lesse then plaine cruelty, not to helpe one that is in so manifest danger.

Ibid. p. 496.

Where

Wherevnto the more to moue vs, he addeth, *Christus non gravatur ob unam oviculam lustratis omnibus obambulare, quam humeris reducat: & nos gravabimur experiri, si qua multis pereuntibus succurri possit, praesertim quum Christus salutis sit author, & humanae leges non aliter valere debeant, nisi quatenus ad salutem conducunt hominum?* that is, Christ thinketh not much, for one sheepe only, to goe vp and downe, every where seeking, that hauing found it, he may bring it home againe, even on his shoulders; and shall we thinke much to assay, whether any way we may be able to helpe those that are ready to perish: especially, when as Christ is the author of safety, and mens lawes should bee of no further force, but so far as they tend to the good of men? And a little before, somewhat more plainely, *Iam Ibid. p. 495. nemo poterit inficiari, saith hee, leges Christi multo aequissimas esse &c.* Wherevpon he inferreth, *An igitur aequum videatur ut maritus cum uxore flagitiis operta, quibus nec causam dedit, nec mederi possit, cogatur vivere, cum qua vivere non sit vivere: aut si diuertat, compellatur omnem aetatem orbis, destitutus, ac velut eviratus degere?* that is, Now there is no body that can deny but that the lawes of Christ are most vpright &c. But then, may this be accounted to stand with any equiry or right, that the husband should be compelled to liue with a woman that is so marvelous ill, when as he never gaue any iust cause of that her lewdnesse, neither euer was able to make her better, with whome to liue is to be accounted no life at all: or if he leaue her, that then hee should be compelled all his life long to liue out of hope of propagatiō, without his helpe, and as it were to be turned out even of his very manhood it selfe? Beza likewise, if the woman after diuers pardons doe yet offend againe, *Derepud. & in such case quid iniquius, saith he, quam innocentis, qui vira* divort. pag. 113

Sect. 17.

Ibid.

cur, ne tunc quidem rationem habere? that is, What is more vniust, then even then also not to haue anie care of the innocent partie? That inconvenience that cōcerneth others also, is in like sort noted by Beza: that if divorce for adulterie & mariage againe were so far restrained, it would make both harlots more bolde & ready to offend; & those that haue the wrong, quietly to put it vp, and not to seeke the punishment of it. Now, of what force these reasons are, may soone be espied of any that will a little marke them: both that which standerth vpon the abuses going before; and those others that stand vpon the inconveniences that follow after. For as touching that which standerth vpon the abuses going before, as I haue noted so much already, that if so we should vse it, it would be but a weake reason to vrge any to be of that opinion: so in it selfe it is cleere indeed, that the abuses themselves were to bee amended, and by force of good lawes, or by good government to be taken away; and that no such liberty is to bee graunted for redresse thereof, as may not stand by vndoubted warrant of the word of God. So that, if they suppose this to be such which now they do vrge, the though they do require no more then iustly they may generally; yet therein they misse, that first they take such holde of this liberty, before they haue found it to be, by the word of God allowed vnto them. The like may be said of the first sort of inconveniences also, such as concerne both the parties indifferently; and of the last likewise, which were such as concerned others withal. But for the middle sort, such as concerne the innocent parties (which seeme to bee the strongest of all) although it cannot be denied, but that their case is hard and much to be pittied withall: yet, as themselves do grā that they cast no further to helpe them, then it may stand with

with the written worde (and so are therein, but only so weake, as in the other) so is it further to be considered, that even those inconveniences of which they would so gladly ease the innocent parties, may be either so iust chastisements, or so needfull exercises for them, that we are not so much to cast, how to ease them therein (by taking of that burthen from them) as to incourage them, patiently to beare those crosses of theirs, and to teach them, that it is their duties so to do. So, for these reasons we are to suspēd our iudgements awhile, vntil we see these two things: first that such liberty (of divorce for adultery, and marrying againe) doth vndoubtedly stand with the word of God; then, that those other inconveniences (as they are called) are no such things as of duty should be sustained. Otherwise it is very cleere, that these reasons also doe nothing hold.

18 Those other things that are of a kind, or so neere vnto these, as that out of them they draw certaine reasons for these likewise, are diuers: some of them such, as from which they reason, as from the like; and some others such againe, as from which they reason, as from the lesse vnto the greater. Those that are such, as from which they reason as from the like, are most of them taken out of the opinions or practise of men: but some of them also, out of the word of God it selfe. Of the former sort are those, whereof Erasmus bringeth reasonable good store: as namely, that the opinion of Iohannes Andrea is, *matrimonium, antequam intercesserit copula, posse dirimi, non solum ob professionem vite monasticæ, verum etiam sola Romani pontificis autoritate*: that is, that espousals, before the parties haue laine together, may bee dissolved againe, not only for the professiō of the monastical life, but

How weakly they reason, vpon other things where they draw reasons to this. as from the like.

In 1. Cor. 7. Pag. 494.

Sect. 18.

Ibid.

Ibid.

Ibid. p. 495.

Pag. 496.

Pag. 497.

also, even by the authoritie of the Bishop of Rome alone, without any thing els. Againe, out of *Hostiensis*, *Augustinus*, and Pope *Lion*, *quod lapsus in heresim dirimat matrimonium, etiam consummatum: & ita dirimat, ut ius sit ei qui perstiterit in fide, alteri jungi*: that is, that to fall into heresie, dissolveth matrimonie, even consummate also: and dissolveth it so cleane, that it is lawful for the party that abideth in the faith, to marrie an other. Thirdly, that *Zacharias* the Pope, *dirimat matrimonium ob rem habitam cum sorore uxoris*: that is, doth break of the bond of marriage, if the husband hath had to do with his wiues sister: and farther gratheth leaue to the wife, if she did not consent, to marrie againe. Lastly (so farre as I thinke needful to alleadge at this present) that *Hostiensis* making a question, *an Ecclesia possit hodie statuere, ut altero fidelium prolapsus in heresim, possit alter conjugum transire ad nova vota, definit posse*: that is, that setting the question, whether the Church may at this day take order, that if one of the parties that are married fall into heresie, then may the other marrie againe, hee resolveth, that the Church may so do. And then, having shewed by those and such like, what opinions there haue been, not vnlike (as he taketh it) in matters of marriage, to that which he moveth, he is bold to goe vnto others also that are farther of: as that the Apostles, to pacifie the Jewes, tooke order with the Gentiles, for certaine of those ceremonies to be observed of the Christians in Antioche; that the Bish: of Rome maketh other Bishops than the Apostle alloweth of; & that the Church hath of late (to speak of) determined of divers matters, that were left at more libertie before, as Transubstantiation, the proceeding of the holy Ghost from the Sonne also, the Conception of the blessed Virgin, and that the holy Ghost is of the same substance

stance with the Father and the Sonne. Al which he allea-
geth to this ende, to shew that it is no new thing in the
Church of God, as they see occasions to arise, so to take
farther order in divers matters, than by those had been ta-
ken that were before them: and so would insinuate, that in
that matter also they might do well to take such order as
he comended, if so be that the word of God would beare
it, as he was perswaded it would. Of the latter divers par-
ticulars are likewise alleaged, out of that same part of the
Sermon of Christ in the Mountaine (wherein also we have
the first speech that Christ did utter concerning this mat-
ter) out of which both he, & some others besides, doe rea-
son for the opinion they hold in the matter that now we
speake of: both, of the liberty that our selues do take in o-
ther such like speeches of Christ; and of the perfection of
those things that Christ doth there comend vnto vs. Co-
cerning the liberty that our selues doe take in other such
like speeches of Christ, he saith, that whereas he forbid-
deth vs to sweare, to be angry, to reprobach, to presume to
come with our offering to God before that we are at one
with our brother, to go to law, to requite displeasures, &
to resist evill, and doth farther command vs to loue our e-
nemies, to deserue wel of them that deserue ill of vs, and
to pray for them that curse vs, first he saith, *quum eodem in*
loco plura doceat, que purè germanèq; Christianis digna sunt,
cur in ceteris omnibus recipimus interpretationem, in uno di-
vortio tam rigidi sumus, ut magis etiam astringamus verba
Christi: that is, When as in the same place he teacheth ma-
ny things which simply and plainly concerne the dutie of
Christians, why do we in al things else admit of some in-
terpretation, and yet are so crabbed in this one point of
Divorce, that we do even farther restraine those words of

ib. pag. 498.

Sect. 18.

Pag. 499.

Christ? Concerning the perfection of those things that Christ doth there cōmend vnto vs, reasoning other wise, on it than others do, he saith likewise, *Christus hac locutus est, non turbis, sed discipulis, idq; in monte, depingens purissimam illam sui corporis partem quam appellat regnum cœlorum cui nullus sit opus legib⁹*: that is, Christ spake these things not to the multitude, but to his Disciples, & that in the mount, painting forth that most pure part of his bodie which he calleth the kingdome of heaven, wherevnto there wil bee no need of lawes. And by & by after, *Pone talem populum qualem Christus optat, nec repudio fuerit opus, nec iurejurādo. Quod si ob infirmos quos in tanto numero plurimos habet Ecclesia, nemo vetatur legibus jus suum persequi; nemo vetatur vim à capite repellere; nemo vetatur jurare modo ob rem, & ne pejeret; nemo cogitur bene mereri de male merentibus: cur unum hoc de divortio promiscue exigimus ab omnibus?* That is, Admit such a people as Christ wisheth, and there shall bee no neede either of Divorce, or of swearing. But if for the weake, whome the Church hath in so greate abundance, no body is forbidden to seeke his right by law; no body is forbidden to defende himselfe from violence; no body is forbiddē to sweare, so there be cause, and that he forswear not; no man is compelled to deserue wel of those that deserue ill of him: why do we exact this matter of divorce so generally of all? Others there be, that because Christ taught such perfection there, do therevpo gather, that if a man put away his wife for adultery, and marrie another, it may not in any wise be called in questiō, for that it is allowed there, where things of so great perfection are taught. Those that are as from the lesse vnto the greater, are such as these. Because that Chrysostome giveth in the reason why the Jew is suffered

As frō the
lesse vnto
the greater

to put away his wife, *ne inuisam occidat*, that is, least that vpon his hatred of her he also slay her, therevpon hee reasoneth, *It ane prodesse debet apud Iudeos flagitiosa sua malitia, & apud nos non proderit marito sua innocentia?* That is, Shal the Iew haue that benefit of that wicked malice of his, and shall not an husband among vs haue like benefit out of his vndeified and honest dealing? The like againe (and one straine farther) a little after, *Saltem hoc apud nos detur infelici innocentia, quod apud Iudeos datum est peruersis maritorum acerbitati, quod Paulus indulget viduis intemperantibus, ne quid admittant sceleratius.* that is, At least, let that be graunted that we also may haue our miserable innocency so farre releiued, as the Iews had their perverse crabbednes borne with, and so far as S. Paul himselfe beareth with intemperate widdowes, least they commit some further evill. Of what force these reasons of his are if now we examine, first as touching the opinion of those others (for such like matters as he presupposeth) that he brought in, the reason is sufficient to stop the mouths of those that so hold: but not to establish that point of doctrine it selfe. That the Apostles themselves, and the godly Fathers after, determined more plainly of diuers things, then those that went before them had done, they had the word of God for them therein, and then not to bee reprov'd by any: but their doing therein may be no argument to moue vs to determine of this, but only so farre (which appeareth not yet) as we may accout, that we haue the word of God to beare vs out in it. But whereas he shuffleth in (among the rest) diuers things that they determined & did against the word of God, we ought to be so much the more wary in suffering our selues to be led thereby, whenas the reason is of that nature, as buildeth on falshood, as well as

Annot. in
1. Cor. 7.
pag. 502.

ib. pag. 509

on truth. As for the liberty that we take in those speeches of Christ, we take none (in any doctrine that thereof wee hold) but such as standeth by good warrant of the word of God in other places, and then can that be no sufficient reason to moue vs, to do the like in this, for which (as yet) we finde in the word no warrant at all. And, though much be to be attributed vnto him: yet in this it may be doubted, that himselfe vnderstood not those places; else that neuer he would haue so reasoned on them. The perfection that Christ might seeme thereby, to commend vnto vs, was not to that ende so laid open by him to shew in how many things wee must be spared for our weakenesse sake; but plainly to shew vs, how wee ought to endeavor our selues to walke in that holy calling: and then doth it leese the force of the reason for which he brought it. Neither doth Christ therein teach vs so absolute perfectiō in those points, but that some others also there are, of an higher degree then those, of which he speaketh nothing at all. As in his first example of doing murther, though hee forbid diuers other braunches of that evil roote, yet neither doth he recite but a very few of them (to speake of) in comparison of the rest: neither doth hee speake any thing of the contrary vertues, or great care that we ought to haue of the safety and good estate of others, which notwithstanding are by the commandement also required. And so likewise in all the rest. So his purpose was not there to teach all perfection; but to giue them to vnderstand, that he was so far from setting them loose from that strict rule of life which the law prescribed vnto them, that he did require much more of them by vertue thereof, then they did thinke they were bound vnto: and that doth hee content himselfe briefly to shew, by those few examples. In which

sense if we take it, then shall we soone espy, how weake also that reason is of those others. Those that are taken, as from the lesse to the greater, carry their owne weaknesse with them so plaine, that no body need (as I doe take it) any further to shew it: being able to shew, if need were, that one of them hath such a wem or gawl in it besides (that censure of his, of those his widdowes) that there is no reason why it should be (in this light that now wee haue) of credit with any.

19 The authority or testimonie of others, whereon certaine of their reasons rely, is either of God: or else of men. Of those that rely on the authority or testimony of God, that is, vpon the written word, they haue two sorts of reasons that are but weake: one sort, by mistaking of the Text it selfe; an other, by gathering amisse thereon. Mistaking of the Text is (in this matter) a common slip almost with them all: and then, if they ground any reasons thereon, needs must they be of smale importance. And first, Erasmus hauing conceaved, as we saw before, that the law did plainely allow the husband to put away his adulterous wife (if she were very bad therein: for so hee limiteth his iudgement thereof) he vrgeth further (as in that place also was declared) that it is not added there (*fuisse*) *hoc datum duritia cordis, praesertim quum ex sensu natura non possit sciri quod nos interpretamur.* that is, that it was graunted for the hardnesse of their harts, especially when as that which we doe gather thereon (meaning as I take it, that which we haue learned of Christ, that it was but for the hardnes of their harts) cannot be gathered by sence or nature. And immediatly he addeth further, *Et si concessum est duritia cordis, utique licet, quod concedit Deus: praesertim si nullo signo declaret eos peccare, qui permissio utantur.* that is, And if it be

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How weakly they reason frō the authority of thers: & first of God

First by mistaking the Text.

Erasmus;

Annot. in 1. Cor. 7. pag. 505.

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graunted but for the hardnesse of their harts; yet is that lawfull, that God hath graunted: especially if hee doe no way declare that those doe offend, that vse the liberty that is permitted. In which notwithstanding hee doth not lo-
 rest, but that he taketh hold of an other help withall, ad-
 ding therevnto as followeth: *Verum hec utcumq; habeant, i-
 ta conceditur, ut tamen impune sit marito duxisse quam velit,
 nec vetantur utcumq; repudiata nubere. Interdum enim hoc li-
 cere dicitur, quod Lex non punit:* that is, But howsoever
 these things be, it is so far granted, that there is no punish-
 met for the husband that (in such case) marieth (another)
 whom he will, neither are these that are divorced howso-
 ever, forbidden to marry againe (it may bee notwithstanding
 his meaning herein, that men are not forbidden to
 marry such as are any way divorced; but the other I rather
 thinke to be his meaning. Then he proceedeth) For some-
 times that is said to be lawfull, which the Law doth not
 punish. And so doth he reason before likewise vpon that
 supposall of his, that such a liberty was by Moses grauned
 vnto them. *Cur, quum idem sit merbum, non idem admo vetur
 remedium?* that is, What reason is there, that, when we
 need that helpe as much as they, it should not be graunted
 to vs as much as to them? Musculus likewise in such sort
 mistaking it, doth nevertheless build somewhat vpon it.
 in Mat. 19. *Moses, saith he, permisit et libellum repudii Iudeis: ex hoc per-
 missu passim repudiabantur uxores.* that is, Moses had per-
 mitted a bill of divorcement vnto the Iewes: by the means
 of that permission of his, it grew to be a common thing a-
 mong them, for husbands to divorce their wiues from
 them. And so mistaking another besides, nevertheless he
 maketh it the chiefe part of the ground of his opinion,
 that there is no divorce, but where the parties may marry
 againe

again. For hauing that point in hand, that in the Church
there is no other diuorce by law allowed, but that *ut ergo* lb. pag. 113
maneat incoingatus, aut reconcilietur, that is, that each party
abide vnmarried or bee recōciled, hee inferreth, that Christ
spake *de nullo ficto, sed vero diuortio, per quod potestas datur*
denuo cum alia cōtrahendi coniugiū, &c. Nullū enim aliud di-
uortiū noverāt Iudai, &c. licuisse autē dimissā alteri nubere,
vel hoc testimoniū sufficiat, quōd sacerdoti praeipitur in lege, ne
dimissam ducat: quae lex supervacanea esset, si fas non esset re-
pudiata denuo nubere: that is, of no counterfet, but of the
true diuorce, by which power was given to marry againe
with another. For the Jewes knew no other diuorce. And
that it was lawfull for her that was divorced to marrie a-
gain, this one testimony onlie may be sufficient, that cō-
mandement was givē in the Law, that a Priest might not
marrie a divorced woman which law had beene superflu-
ous, if it had not beene lawfull for a woman divorced to
marrie againe. Which also (among others) is the collecti-
on of *Remnitius* himselfe, for the lawfulness of this libertie
of Divorce and marrying againe, against a contrary deter-
mination set downe thereof by the Councel of Trent a li-
tle before. But hereof this little taste may be sufficient, for
that the chiefe part of the groundworke of their opinion
doth rest thereon (for that which they haue in the Olde
Testament to build vpon:) which was a great part of the
inducement that led them vnto it. Concerning which, &
al such like, it is cleere inough in it selfe, that mistaking the
Text whereon they grounded, the opinion that they con-
ceiue thereon must needs bee but weak, and needeth no
thing els to discover the weaknes of it, but only to shewe
that they mistake the Text it selfe. But in *Erasmus* we have
some things else to note besides. First that in these things
he

Exam. par.
2 in Sam. 7.
pag. 285.

Sense of
nature ap-
pares gladi-
ously

Señ. 19. he rested somewhat on the sense of nature : as perilous a guide in the matters that now we speake of, as (of those that are of some credit) a mā could lightly otherwise haue chosen. For being by nature so much given as we are to the lusts of the flesh (and to haue variety therein) and to be avenged of such displeasures as are done vnto vs (especially such, as touch vs so neere, as now we speake of) wee are not to looke for any other, but that we may be as easily blinded in this, if we leane to our owne iudgement therein, as in any thing else that can lightly befall vs. So that, in this especiallie, he should not haue rested anie thing at all on the sense of nature, but haue sought some better guide, whom he might more safely haue followed. Then also, how readily he taketh hold on that permission, even onlie for that it was permitted (not regarding how farre, nor howe) though himselfe doe finde none other, but that it was only for the hardnes of their hearts: a sufficient burn, to haue discredited the vse of that libertie to all that are godly, or that haue any reasonable care, even of their honestie before mē. And yet whereas he doth so readily take such hold thereon, it may seeme to argue, that his store otherwise is but weake. Lastly, that after a sort abandoning these, if they should not be thought meete to serue, he taketh hold of an other almost as weake : namelic, that because there was no punishment set down for it in the Policie of *Moses*, therefore it was after a sort, or in some sense permitted vnto them. And yet is it sufficiently knowne vnto al, that as in al other Policies whatsoever, even so in that of *Moses* also, there be diuers things that are vnlawful, which there haue no punishment at al devised for them: and therefore that we are not so to reason, that seeing it is not punished there (as neither it was to haue manie wiues)

wiues) therefore it is no offence to doe it. For although such a reason might best hold from thence, of any other Policie in al the world besides: yet even that also would faile vs herein, if anie should rest so far vpon it.

20 But now, if we come to consider, how farre they haue gathered amisse vpon those several Textes that they haue vsed, what others may thinke, I know not, but, for my selfe, I canot but marvaile at many things that I finde therein. Which kinde of gathering when I also had gathered, as needful to bee commended vnto the farther consideration of the learned, I found them in number to bee so many, & to proceede from so many great personages also, that I thought it sufficient for the matter, and meetest also in some other respects, to take but some few of them (leaving the rest vnto the search of those that desire to looke farther into them:) and therein also, not to deale with al those or many of them that so are minded, but only with some few, & such as the equity of the cause it selfe shal most desire to be called vnto such triall. In which respect I haue thought good to resoluē on *Erasmus* for the one, and on *Mr Beza* for the other: because that (of those that are extant, and yet I haue scene) those two haue of set purpose discoursed thereof, and most largely handled the same. And in these also to omit al such collections, as elsewhere by occasion may passe them, while principallie they intend some other matter, I meane to deale but only with those (and but with some of the neither) that belong vnto the chiefe and principal points of the matter that is in question: namely, how they gather their opinion or iudgement therein; and how they answer such Obiections as may be alleaged against it. And first as touching *Erasmus*, although he professeth no more but only to propoude

Then by gathering amisse thereon: but therein only of a couple of them,

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Erasmus,

Sect. 20.

First for his
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niō herein.Annot. in
1. Cor. 7.
pag. 498.

Pag. 499.

it, and to commend it to the farther consideration of the learned, and to that end more largely sheweth, both that divers before haue beene of that minde, or at least inclinable vnto it; and that such like things they haue in dayly allowance among themselves: yet doth he plainly enough professe, that (for his part) he is of that minde himselfe; and laboureth also to take away such objections as seeme to be of force against it. As touching the former of them, the truth is, that as there is none of them all, that do build this opinion of theirs on any other Text besides (excepting those which they did mistake, of which I haue spoke before) but only on that exceptiō which Christ vsed two severall times, namely, in the fift, and in the nineteenth of S. Matthew: so he also (for that his opiniō) goeth no further but only to it, and therevpon buildeth that which he hath thereon conceiued. But those words of Christ doth he account to make so plaine for his purpose, that because we allow not on such divorce to marry againe, hee chargeth vs that *in diuortio tam rigidi sumus, ut magis etiam astringamus verba Christi.* that is, That in diuorce we are so hard or greivous, that we do further restraine those words of Christ. And his reason is, *Etenim quum ille reliquerit marito unam causam repudiande coniugis, nos eam multis modis astringimus.* that is, For whereas hee left to the husband one cause for which he might put away his wife, wee doe many waies restraine the same. And after againe, *Iudei quod Moyses scripserat de libello repudii sic interpretabantur, quasi maritus has esset qualibet de causis retere coniuge &c. Id Christus astringit ad unam adulterii causam.* that is, The Iewes did so interpret that which Moses wrote of the bill of diuorce, as though husbands might put away their wiues for any cause though never so smal. That did Christ

restraine only vnto the cause of adultery. And by and by after, *Ergo suis Christus unam duntaxat causam indulget di-*
uortij. that is, Therefore Christ alloweth vnto his but on-
 ly one cause of divorce. And in these (so far as yet I haue
 found) is his iudgement most plainly declared. In which
 it is good to note those two things: first that he buildeth
 for that matter on no other Scripture, but only on that
 exception; then, that hee so taketh that exception, that
 thereon he inferreth, that for adultery Christ himselfe al-
 loweth divorce. If he build vpon no other Scripture but
 only on that exception, the our busines lying within lesse
 roome, & neerer vnto vs, we may so much the sooner find
 how it holdeth together that he gathereth thereon. If he
 so take the exception, that thereon hee gathereth, that
 Christ alloweth the husband to put away his wife for a-
 dultery, the, either must the place it selfe be of that nature
 that it can haue no other sense but it: or, if it may haue
 some other besides, the is he to shew what reason he hath
 why the place should rather be taken as he would haue it,
 then as others haue taken it heretofore. Whereas there-
 fore it is evident (by the iudgement of most men, in the
 Church of God, who did otherwise take it) that the place
 may haue another sense, and yet himselfe, hauing shewed
 no reason which may stand for any iust prooffe, that the
 Text must needs be taken in that sense that he would haue
 it, doth nevertheless so enter vpon it, and will haue that
 to be the meaning of it: hence is it, that for any thing that
 yet I doe see to the contrary, hee can hardly avoid the re-
 prooffe of a foreible entry, or to looke for so much curte-
 sie at his aduersaries hands, as first to graunt him, that that
 shall be the sense of the place. And then hauing gotten so
 much for divorce, that in such case the husband may vse
 the

Sect. 20.

the benefit of it, that is to put away his wife if so she haue sinned, then will himselfe inferre the other also (that then he may lawfully marry another) only by telling vs plainly, what divorce it is, that he meaneth. For he saith
 Ib. pag. 498. *Divortium interim appello, not that, quo dirimitur domestica consuetudo, manente coniugij vinculo, but verum, & quale solum illa novit at as, qua licebat, à repudio prioris, alteram dācere.* Whereby he giueth vs to vnderstand, that he meaneth such divorce as altogether breaketh the bād of marriage, and not such as standeth by law all Christendome through (almost) if there bee no other cause but adultery only. Which two if we lay together, namely, that Christ alloweth divorce in case of adultery, and then, that the divorce must also be such as giueth free liberty to marry againe, the collection that he maketh on those wordes of Christ must needs be this, that Christ alloweth those that be his, to put away their wiues for adultery, and to marry againe: an opinion that is, notwithstanding al his submissions and protestations before and after, more boldly avouched; then it is with any of his proofes that yet I haue found, or (as I am perswaded) ever shall, strongly confirmed. As touching the latter, that is, how, for his defense, he gathereth vpon those places that doe seeme to make against him, we are first to note, that some there are with which at all he doth not meddle, and yet are of special importance against the opinion that he conceiued: & then further we are to consider how he gathereth his defense out of those that he vseth. If some there be that hee medleth not with, and yet are of special importance, then may we account, that his defense is so much the weaker: and those places that now I speake of are those two; the one of Deuteronomie, the other of Malachie, that I shewed
 be

Then, for
 his defense
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before to bee most likely to bee mistaken, in which the Hebrew in them both, & the Septuagint also in the latter of them, do so frame those Texts to speake, as that to one that would haue cleered the questiō of the doubts thereof, those also had beene as needefull to bee answered, as not many others more. Those that he vseth, are certain of those speeches, which (concerning this matter) were vttered by Christ: and certaine others of the Apostle St. Paul. Those that he taketh of Christ are three: two of the in effect but one; but the other, a severall one by it selfe. Out of the words of Christ. Those that are in effect but one, are those two so well knowne places, in the first and nineteenth Chapters of the Gospell by S. Matthew. Where Christ doth so much restrain the liberty of divorce, restraining it vnto adultery only, as these men take it. Out of which how hee gathereth for his defense, is a thing very specially worth the marking. For hee doth not now gather, as the residue do, vpon the advantage that is supposed to lie in the Exception; but out of the whole restraint generally: gathering, that the doctrine which was there delivered, did draw so neere vnto the perfection of true Christianity, that if wee should exactly apply it vnto our liues, to make it a rule vnto vs, we had need to vse some favorable interpretation of many things therein; or that wee had some dispensation to avoid the strictnes of it. For the former he saith, *Verum quum eodem in loco complura doceat quae purè germanèq; Christianis digna sunt, cur in ceteris omnibus recipimus interpretationem, in uno devortio tam rigidi sumus, ut magis etiam astringamus verba Christi?* that is, But seeing hee teacheth many things in that place which may right well become Christians indeed, how commeth it to passe, that in al the rest we content our selues with (some favourable) inter-

Pag. 493;

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Ibid.

Pag. 499.

pretation, and only in divorce we are so austere, that wee doe even further reſtraine thoſe words of Chriſt. And anon after, when he hath ſhewed how much we reſtraine, as he doth take it, thoſe words of Chriſt, coming to that courſe againe that he may giue in ſome examples of it, he further addeth, *Hac igitur una in parte tam mordicus tenemus ſummum, quod aiunt, jus, in ceteris quamvis recipientes interpretationem. Vetat inibi, Ne juremus omnino: vetatq; multo ſeverius quàm divortium, & pluribus verbis inculcat: & tamẽ ob tres drachmas juramus paſſim, ſic excuſantes, Non eſt jurandum temerẽ. Cur non item, Non eſt divertendum temerẽ? Vetat ille irasci: Mox ſubjicimus, Temerẽ. Vetat ille compellare quenquam contumelioſius: nos etiam colaphos impingimus, deniq; occidimus, & excuſamus, Non ledendi ſed caſtigandi animo &c;* that is, Therefore in this point wee doe ſo ſtrictly cleave vnto the vttermoſt that may ſeeme to bee vrged thereby, receauing any interpretation in the reſt. He there forbiddeth, to ſweare at all. And with greater ſeverity he forbiddeth that, then he doth divorce, & with more words doth beate vpon it: and yet for the worth of a ſhillling we commonly ſwere, excuſing our ſelues, that we are not (indeed) to ſweare raſhly. And why not as well, that a man, may not leaue his wife raſhly? He forbiddeth to be angry: and we by & by adde (the meaning to be, that wee doe it not) raſhly. He forbiddeth to reproach any: yet we even beat, and ſlay alſo: & then excuſe our ſelues, that we doe it but to chaſtice him only, and not to hurt him. And ſo forth, bringing diuers other ſuch inſtances or examples beſides: and ſo concluding on them likewise. For the latter he addeth likewise, *Si ut conditus erat homo, perſeveraſſet, nullum erat futurum inter illos divortium. Chriſtus revocans ſuos ad priſtinam innocentiam, non vult divortium*

tium, quia non vult duos corde: & tamen Paulus indulget humana fragilitati, relaxans saepenumero Domini praeceptum. Cur non idem facere possit Romanus Pontifex? that is, If man had continued as first he was made, there would the have beene no divorce among them. Christ calling back those that were his to that former innocency, will have no divorce, because he will not have them to be hardharted: & yet Paul beareth with the infirmity of man, releasing ofttime the Lords commandement. Why may not the Bishop of Rome do the same likewise? By which, I trust, it may sufficiently appeare, that he rested not on that supposed allowance of divorcing for adultery, but (over and besides that) accounteth the residue of that prohibition of divorce so streight, as that it were needfull for vs, either to have some favourable interpretation for it; or at least to be dispensed with all for some part of it: and yet that in either of those his gatherings he hath one speciall slip besides. For in the former, when he pleadeth for such favorable interpretation, the only force of his reasoning standeth, as it were from the like, or else from the lesser vnto the greater. Which hee endeavoreth to confirme vnto vs by all those examples that there he bringeth, of which I recited but a few of them: shewing, that seeing we doe in such sort interpret them, as that wee doe not account our selves to be tied to the letter of the (as indeed we doe for the cheifest of the, & those that giue credit (that which he seeketh) vnto the rest, & so may doe by good Divinity; the rest being none of our interpretatiō of them, but only the fruits either of the ignorance of those daies, or of the corrupt affections of flesh & blood) we should in like sort, if not much rather, interpret that of divorce likewise, as his own words do plainly declare. But now the truth is

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that that interpretation of ours which we giue of the rest
 standeth by authority of the word of God, & that by other
 Scriptures we are forced so to take the (as when there we
 are forbidde to sweare at al, & yet elsewhere are taught to
 sweare by God, & that it is a part of the worship that we
 must do him:) and that the interpretation that he woulde
 haue vs to make of the other, is not such as any other
 Scripture doth lead vs vnto; but such as al other Scripture
 directly crosseth as we do take it, and trust to make plaine
 ere we haue done. And then, if we haue Scripture for the
 one, but not for the other, howsoever that motion of his
 may saue well of great humanitie: yet wel maie wee
 doubt, that such stuffe would be but feelie Diuinitie. In
 the latter likewise, besides that he chargeth *S. Paul* to dis-
 pence oft times with the Lordes commandment (which
 would be hard for him to proue,) and the he seeth no rea-
 son, but that the B. of Rome might do so also (wherein he
 spake according to the manner of those daies, or els but
 offereth somewhat to ride him) he may seeme to gather,
 that Christ did no farther restraine diuorce vnto his, nei-
 ther himselfe had anie farther meaning, but so far as their
 hardnes of hearts shoulde bee also abolished, that thereby
 they should not stand in need of that help to their infirmi-
 tie: which course if in other things also we should attēpt,
 sooner should we shew our selues to endeavor, rather to
 make our corrupt inclinatio a rule to interpret the Scrip-
 tures vnto vs; than to allow, that the Scriptures should be
 a rule vnto vs, whereby to amend, or to call to the checke,
 whatsoeuer ill waies there are in our owne corruption.
 That which is a seuerall one by it selfe, is that same that in
 the 19. of *Matthew* Christ also vttered, that it was not for
 man to put asunder, that which God hath coupled togi-
 ther.

ther. Concerning which he saith, *Porro quod obijciatur ex eo-
dem loco, Quod Deus conjunxit, homo ne separet, nō magno ne-
gotio solui potest. Hoc Deus conjunxit quod rite conjungitur:
hoc Deus dirimit quod rite dirimitur.* That is, Furthermore,
that which is objected out of the same place, that which
God hath coupled together, that let no man put asunder,
may soone be answered. That (only) hath God coupled to-
gether, that is coupled aright: & that doth God (himselfe)
breake a sunder, that is wel put a sunder. In which course
also he then in such sort proceedeth, that although he wel
provideth that he wil haue no divorce to bee made by the
parties themselves, nor by aie but onlie such as are in au-
thoritie for those matters: yet he plainly sheweth, that
he would haue it to bee done for more causes than for ad-
ulterie, and yet that it also should be Gods doing too.
*Quod male, saith he, cōglutinauit pueritia, quod uinum, quod
temeritas, quod inscitia, quod male per lenas ac lenones, suos
Diaconos conjūxerat diabolus, hoc per suos Ministros recte di-
rimit Deus:* that is, that that which childhood, which ex-
cesse in wine, which rashnes, which ignorāce had coupled
together, that which by harlots and bawds his owne pro-
per Deacons the Diuel had ioined, those doeth God by
those Ministers of his rightly put asunder againe. To
which ende also he tolde vs a little before, that neither a-
mong the Gentiles, nor yet among the Iewes marriages
were accounted to be of force, without the cōsent of the
parents, or the principal friends vnto them appertaining:
*Et tamen apud utrosq; aliquo modo dirimi poterat matrimonium.
Apud Christianos facillime coit conjugium, & semel initum
nullo pacto potest dissolui:* that is, & yet with the both, mar-
riage might some way or other bee dissolved among the.
But among Christians marriage is most easilie made, and

Of divorce for adulterie;

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224. 227. d.

Out of S.
Paul.

Hom. 7:2,3.

4.

Ibid. p. 502.

202. 9. bid.

Ibid. 5. bid.

Ib. pag. 503.

yet when it is made, then is there no waie to vndoe it againe. In this therefore (pleading for so great a liberty to divorce, as hee doth) hee hath not only no Scripture for him, but now also even the most of those, that (in these daies of ours) are for divorce and marrying againe, flatlie against him: & so, his gathering herein not only in truth, but also to them, who only shoulde haue the benefit of it, sufficiently weakened. Those that he taketh out of S. Paul, are three likewise: but the first two of them, in effect, but one; and the third a several place by it selfe. The first two are, the one, out of the seventh likewise of the former Epistle vnto the *Corinthians*. To the former of them, that sheweth the woman to be bound to her husband so long as he liveth, his answere is, *Non hic agit Paulus de divortio, sed similitudinem adducit Iudeis ex ipsorum lege, qua doceat ac persuadeat, antiquata jam Mosi lege per evangelium, non amplius illos teneri legis ceremonijs, quā Christo novo sponso nupserint. Nec est necesse similitudinem aut parabolam quadrare per omnia, &c.* that is, The Apostle doth not here speake of divorce (which notwithstanding himselfe doth but saie, & not proue) but he bringeth vnto the Iews a similitude out of their owne law, by the which hee may teach and persuade, that the Law of *Moses* being now abolished by the Gospel, they are no more bound to the ceremonies of the law, being now married to Christ their new husband. Neither is it needful that a similitude or parable should in all things agree, a thing that is not in this required: and yet must the thing it selfe be true, if anie thing shalbe proved thereby. To the latter of them (much like to the former) he answereth likewise, *Ne hic quidem Paulus tractat materiam divortij, sed adhortatur pro illorum temporum statu, ut que libera sunt à conjugio, praesertim viduae (nam ad hanc cau-*
sam

(*am videtur redire*) *abstineant à cōjugio*, &c: that is, Neither here doth *Paul* treat of the matter of Divorce, but he exhorteth, as the estate of that time required, that such women as were free from marriage, especially widdows (for he seemeth to returne to them againe) would abstaine from marriage, to the end they might be freer from worldly affaires, &c. Which assertion of his, besides that he hath not proved it, maketh little for him, for that though the Apostle did not to that end speake it; yet nothing letteth, but that so it may be applied. That which is a several place by it selfe, is out of the selfe same chapter also vnto the *Corinthians*, where the Apostle requireth in the name of the Lord, that the wife depart not from her husband, and that the husband do not put away his wife: which, as himselfe saith, is *locus omnium difficilissimus*, that is, the hardest place of them al. Concerning which his best answer is, that *S. Ibid. p. 503.* *Paul* there doth not treat of *de gravibus flagitijs, quæ crimen adulterij vel equent, vel superent etiam: sed de levioribus offensis, ob quas, apud Græcos potissimum, crebra fiebant divortia*: that is, not of grievous crimes which were as great as adulterie, or greater rather, but of the lighter offences, for the which especially among the Grecians, there were oft divorces made. Alleadging also a testimony out of *Juvenal*, of one that had, by such dealing, eight husbands in five yeares. And the reason that he bringeth, why hee taketh it that the Apostle spake but of lesser offences, he gathereth out of the reconciliation that there is mentioned: which notwithstanding prooveth it not; but leaveth it only on the credit of his owne iudgement. Which belike himselfe did somewhat perceiue, because hee rested not therein, but tooke hold of some others, and those also as weake as it; one, of difference of the sex, pleading that he gave that

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lesson but only to womē (which while he doth, he letteth slip a scape or two;) the other, his owne ghesse, what the Apostle would haue let downe for such matters, if the case had beene put vnto him, as it is with vs. And when yet he doubteth that this his answer will not content all, but that some may happily vrge that the Apostle did not there meane to exclude the cause of Adultery, for that, it seemeth, he had no more to say but this, *Cur non excipit quod excipit Dominus? Imò cur addidit, quod non addidit Dominus, Maneat innupta? Cur viro prohibet ne dimittat, cui permittit Christus, ut dimittat adulteram?* that is, (altogether reasoning, if you marke it, on that which is in question among vs, and yet grounding thereon as if it were either proued by him, or by vs granted vnto him) Why the did not the Apostle except, which the Lord himselfe excepted? And more then that; why did he adde, which the Lord added not, namely, Let her abide vnmarried? Why doth hee forbid the husband to put any away, when as Christ himselfe alloweth to put his wife away, if she be an adulteresse? And thus much to shew, how Erasmus hath gathered, both for his conceiuing of that opinion at the first: and for the cleering of it besides, of those obiections which he saw might be made against it.

M. Beza
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likewise
doth ga-
ther amisse.

21. Mr. Beza wrote long after Erasmus, when as the motion that he had made was now considered vpon by many, and condescended vnto by some: and he wrote so purposely of it, that if there be any thing that may rightly be gathered for it, we may hope to finde it in him; and, if that shalbe sufficient to confirme that point of doctrine vnto vs, that then we shall finde nothing at all, that wilbe wrong or hardly gathered. Here therefore it shalbe good to consider, what he hath found, either whereon to build that

that opiniõ of his, or to defend it against those Scriptures that are against it. What he hath found, for the grounding of his owne opinion therein, we may sufficiently gather out of that which himselfe setteth downe for that matter. For, after that first he hath sundred certaine other things from the question that he hath in hand, which otherwise might haue cūbred him very much therein, he plainly inferreth *Adulterio igitur coniugium, recte & bona conscientia, dirimi posse affirmo, expressis hac de re Christi verbis.* that is, Therefore I affirme, vpon the expresse wordes of Christ, that rightly and with a good conscience, marriage by adultery may be dissolved: as resolute, and as plaine an asseveration, as at any time needeth; and therefore likely enough to haue some special good ground worke whereon it is grounded. Which, by his quotation in the margin, himselfe doth shew to be those very words that before we spake of, and which are in question betwixt vs, & that they are those *expresse wordes of Christ*, that hee did meane. Howbeit those are they, that, as touching the sense of them, are altogether in question betwixt vs: and by what right may he then account them so *expresse* or plain on his behalfe, when as hee knoweth that that is plainly denied vnto him. Which because he could not but know, that therein he was contradicted by many, therefore hee addresseth himselfe immediatly to proue, that that must be the sense of those his words: and needfull it is, that we doe well marke the force of his reason. *Quum enim, saith he, videret Christus Legem de lapidandis adulteris latam (ut & alias pleraq;) contemni, cavere tamen conscientis voluit: ideoq; interrogatus, an, ut facere plurimi solebant, quavis ex causa diuortij libellam tradere liceret, sic respondit, ut non tantum negaret id fas esse quavis ex causa, verum etiam exprime-*

First in establishing his own opinion.

De Repud. & diuort. pag. 109.

Mat. 5:31, & 19:9.

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ret, nulla id ex causa nisi ob adulterium licere : quibus verbis nihil planius aut magis perspicuum dici potest. Itaq; nullus adhuc est, quod sciam, inter Christianos, seu veteres seu recentiores inventus, qui non concesserit, probato adulterio, fas esse innocenti nocentem dimittere : sed pleriq; excogitata distinctione inter separationem à thoro, & dissolutionem ipsius conjugalis vinculi, quod rectè prius constituerant mox evertunt, quia novi conjugij potestatem separatis non concedunt. Cujus sententiae quum etiam Augustinus ipse fuerit, necesse est imprimis ostendere, quam firmis rationibus omnia contraria argumenta doctissimi Theologi nostra memoria diluerint. that is, For whē Christ did see that the law of stoning adulterous persons to death (as divers other good laws besides) were not regarded; yet would he provide for the conscience therein : and therefore being asked, whether as many did vse to doe, it were lawfull for every cause to giue a bill of divorcement, he so answered, that hee did not only deny, that for every cause it was lawfull so to doe, but also did plainly set down, that it was lawfull for none other cause, but only for adultery : then the which, nothing can bee more plainely, or perspicuously spoken. And therefore is there none found as yet, that I knowe of, among Christians, either of olde or of late, which hath not allowed that adultery being proued, it is lawfull for the innocent party by divorce to put away the offender : but divers of them, hauing devised a distinction betwixt the separation from bed, and the dissolution of the band of marriage it selfe, doe by and by overthrow that, which rightly they did allow of before, seeing that they doe not graunt liberty to marry againe, to those that are in such sort sundred. Of which opinion seeing even Augustine himselfe was, it is specially needfull to shew, with how strong reasons the

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most learned Divines in this age of ours, haue clean wipt away all the arguments of the contrary side. And so, hee presently setteth in hand to answer those Obiections, that hee thinketh to stand in the way of that resolution. But first let vs see what prooffe it is hee hath brought for his owne. Forsooth that Christ, for that hee saw that the law for stoning adulterous persons to death was despised, purposing to provide for the conscience before God, he therefore &c. What haue wee here, but only his owne ghesse, that that was the purpose and meaning of Christ? Which if it were not, as then wee haue herein no prooffe at all: so if it bee no more but doubtfull; for that hee might as likely haue some other meaning (which after I trust wil easilie appeare) yet then also this coniecture of his may not iustlie stand for any found prooffe neither, although for his worthines otherwise his iudgement may be had in special reverence. And it is not to be denied, but that that which he bringeth in immediatly after, of so general a cōsent of al, in the allowance of Divorce for adulterie, doth much make for that iudgmēt of his at the first sight; but then there is to be considered withall, both that they mistooke those places of the Old Testament, which they thought to allow of Divorce for lesse matters; and that yet they did not allow of such divorce for adultery, as might dissolue the bond of marriage. For if they did so far mistake those places aforesaid, as that then they made no question, but that by the word of God divorce was allowed for lesser matters, then they might easily be of opinion, that there was no doubt, but that much rather it was allowed for the greater; and in that they were so loath to allow, that even for it also the bond of marriage shoulde stand as broken, it may seeme thereby, that although they

Deut. 24. c.

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Then, in
answering
to certaine
Obiections,

had in minde those wordes of Christ, aswel as these, yet how plaine soever Mr *Beza* doth account the, they could not finde that so they might take them. Now that S. *Augustine* was of that minde too, that doth weigh so much against him, as the credit of his iudgment standeth with any. Whether therefore wee may be bold to account, that here among these plaine and resolute speeches wee haue any prooffe whereon to stay our consciences before God, or whether nothing could be spoken with greater perspicuitie, when as so many (and so quicke of sight) could neuer so finde it, that do I refer vnto others, & thinke it needful to be pondred of such, as any way haue occasiō to vie the benefit of sound iudgment therein. But belike Mr *Beza* did not meane much to confirme, that to be the sense of the wordes of Christ that he had gathered (for that hee thought that matter cleere enough in it selfe) but hastned rather to answer such Obiections as he found to be made against it. And so are wee also to see, how he contenteth himselfe therein. The Obiections therefore that himselfe acknowledgeth to be brought against it, are halfe a score: whereof the one halfe are brought out of the worde of God; the other, out of other reasons besides. As for vs, it shalbe sufficient to take the assay only of those that are taken out of the word of God: and those are the verie same (and none other) that *Erasmus* before had brolight, both for the places of Scripture out of which they are taken, & for the order & disposing of them; and, excepting the first, for the matter also. These therefore are likewise taken, some of them out of the wordes of Christ: & some of the, out of the Apostle S. *Paul*. And so belike wee haue al this while found nothing more in effect in the worde of God for this matter, than *Erasmus* had found at the first, when

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hee made the motion of it. Those places that are of the words of Christ are three: but the first two are heere also ioined together in one, and so do both stand but for one, & the thirde, for another by it selfe. Those two places of Christ that make but one, are those former places out of the 5. and 19. Chapters of St. *Matthew*: but the Obiection that M^r *Beza* gathered, is not like that which *Erasmus* gathered before, but varieth from it. For whereas *Erasmus* gathered out of the austeritie or strictnesse of the whole, but that one way or other the strictnes of it was to be mitigated vnto vs, M^r *Beza*, on the other side, out of the libertie that he supposed to be given by the one part of it, answereth an Obiection that out of another part of it is made against them. As touching the Obiection hee saith, *Primum opponunt illi istud Christi dictum: Qui repudiata mulierem duxerit mæchatur. Nam certè si penitus solutum esset vinculum, mæchatur vir ejusmodi non diceretur: that is, First they object that saying of Christ, He that marieth her that is divorced, committeth adulterie. For truly, if the bond of marriage were cleane broken, such an one should not bee said to commit adulterie. Vnto which his answer is, *Exceptionem priori membro additam, in posteriori quoque, esse repetendam: that is, that the Exception that is added vnto the former member of the sentence, is to bee repeated againe in the latter part of it. But this is no more but only saide: the prooffe doth follow immediatly after, in this manner, Nam si qui dimittat uxorem extra causam fornicationis, facit ut ea mæchetur, consequitur eum qui uxore propter adulterium repudiata aliam duxerit, non facere ut ea mæchetur. Ex quo rursum colligitur, id quod subiicit, apud Matthæum de repudiata, non nisi repetita ex priora membro exceptione intelligendum, quoniam Dominus alioqui sibi cōtraddixisset: that is, For**

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if he that putteth away his wife, without the cause of fornication, maketh her to commit adulterie, it followeth (saith he, but let others iudge, whether it doe so or not) that hee, which putting away his wife for adulterie doth marrie an other, doth not make her to commit adulterie. Out of which againe it is gathered, that that which is there added concerning her that is put away, is not to be taken but with the Exception that is in the former member, because otherwise the Lord shoulde contradict himselfe, or in one part of the sentence should go against that which he setteth downe in another. Which prooffe of his though he do somewhat further backe against one thing that is in that place objected besides: yet this is all the prooffe that hee hath for this very point that nowe wee speake of. But, if we marke it, we thinke it wil soone shew it selfe to be a strange kinde of prooffe. For, admit that the Exceptiō that now we speak of, must needs imply (which notwithstanding wee doe not graunt, but avow it to bee the thing that lyeth in question betwixt vs) that for adultery a man might lawfully put his wife away: yet doth it not so necessarily follow that every one might so doe; or, that no case might be such, but that, if the wife committed adultery, then might her husband lawfully divorce her from him. For it is sufficient for the truth of the proposition (even in that sense takē) if any case be such, as that for adultery it may lawfully be done. As, though we may truly say (as the Scripture also in many places, in effect and meaning, doth, though not in the same tearmes) that God had no peculiar people for those daies in all the worlde, *except the seede of Abraham*, or out of that stock or race of his: yet doth it not follow, that all those were of that fellowship; but only, that he had none other besides. Whereas

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therefore that exception may bee satisfied with any particular (that, for adultery, as the case may bee, it may bee allowed) and yet he inferreth a generall vpon it, saying *that he, that putting away his wife for adulterie, marrieth another, doth not commit adultery* (for though the proposition, in those tearmes, be but indefinite, yet is it an vniversall by nature) hence doth it follow, that his prooffe is of no better force, then an argument may bee that is taken from a particular vnto a generall, or frō the part vnto the whole: as, God for a time had no people in all the world to bee his peculiar people, but only the seed of his servant Abraham: *ergo*, all the seed of Abraham were of his peculiar people. And therefore it is so much the more strange that Beza inferreth, that otherwise Christ had contradicted himselfe: as though it were any contradiction to say, that for adultery the case might bee such, as that the husband might lawfully put away his wife for it; and yet, that in some other cases he might not. His other Obiections, as they are the same that Erasmus had gathered before: so are they by him sent lightly away with the selfe same answer that Erasmus before had giuen them. For vnto that other, of the words of Christ, that no man should part those whom God hath coupled together, whereas Erasmus before had said, that such were not parted by man but by God, Beza saith likewise, *Concedo totum illud argumentum &c; sed nego divorcij propter adulterium authores esse homines, &c*: that is, I graunt, saith hee, that whole argument: but I deny that men are (to be accounted) the authors of that divorce that is for adultery. So that, thus far, and so in the very answer it selfe that they made to this obiection, they both agree. But then in the confirmation of it they vary, M. Beza quite giving over that course that

Eras-

Sect. 21. Erasmus is in, and betaking himselfe to another: Erasmus building vpon disorders that were commonly committed in making of marriages; and M. Beza, vpon that law of God that adiudgeth adulterers to death, and vpon that exception of Christ. Wherein whether M. Beza hath bettered his course or not, that I leaue to bee decided by others that will: but sure it is that therein he liketh not of that of Erasmus; in that himselfe hath taken another. For as touching that of Erasmus he saith plainly, that he doth not assentirijs qui putant Magistratibus licere novas divortiorum leges condere. that is, That hee doth not ioine in opinion with them, who thinke that Magistrates may make new lawes of divorcements. And the prooffe that he will haue for his opinion in this (namely, that, not mē, but only God must be thought to be the author of that divorce that is for adultery) is no more but this; *Quum Dominus jam olim adeo expresse voluerit adulterio matrimonia dissolvi ut etiam adulteros morte punierit: & postea rursus Christus consulens conscientijs propter Magistratum negligentiam, adulterium acceperit, quum de divortio non licito differeret.* that is, seeing that the Lorde in times past, did so plainly declare that he would haue (even the band of) matrimony to be dissolued by adultery, that hee punished those that so offended even with death: and after againe Christ providing for our consciences, hath for the Magistrates negligence therein, excepted adultery, when he treated of such divorce as was not lawfull. Concerning both which we plainly see the latter of them to hold no further, that that same exception of Christ may bee found to serue his purpose, which is the thing that is in question betwixt vs, and seeing himselfe knew that so it was, it may seeme that he doubted of the other also, when as hee went about so

hardly

hardly to help it in this. And the truth is, that in the other his reason holdeth but very weakely, that seeing God ordained that adulterers should be put to death, therefore the husband, if his wife haue that way offended, may account himselfe loosed now from the band of marriage that was betwixt them: because, as it is a generall rule with all the learned, so Erasmus himselfe his owne partner hath set it downe in plaine tearmes, that, in his iudgement, *dispicere quod agat is qui loquitur*, that is, to consider what is the intent or purpose of him that speaketh, is *principale clavis ad intelligendam mysticam Scripturam*, that is, the chiefe key to open vnto vs the secret sense of Scriptures. And then it is plaine, that in that law the meaning of God was not, to shew when the married might account themselves to bee loosed of that band wherewith they were tied the one to the other: but how Magistrates should in such case execute his iudgements among their people. Againe, whosoever would so resolutely set down that the band of marriage were so cleane dissolued betwixt man and wife, only for that, when either of the parties are found to haue committed adultery, they ought by the law of God to die, they had need to be further advised, first as touching this preset crime that now we speake of, whether that ought to be the determination of all estates for life generally (as when one hath that way deserued death, he that is in reversion should then account the right of the thing to be his, whether that the Magistrate and laws doe nevertheless spare him his life or not,) and whether, such as owe any other duty besides, as children to their parents, seruants to their masters, and such like, might likewise in such case be allowed to account themselves discharged of it: and then, as touching some others besides, when a

Annot in 1.

Cor. 7. pag.

103.

De Rebus
& Quibus
pag. 110.

Sect. 21.

Out of St
Paul,De Repud.
& Divort.
pag. 110.

ny men else haue deserved death, either by those lawes of God (as for blasphemy, prophaning the Sabbath, or whatsoever else) or else but by the lawes of the country wherein we dwel (though not against the law of God, yet further then it in those matters is wont to proceed) whether in such cases we were to allow that liberty; or otherwise, what reason we haue to be so resolute in the one, & so doubtfull in the other. These that are taken out of the Apostle S. Paul, are three likewise, but two of them (as the others) in effect but one; the other, is of severall force by it selfe. These that are in effect but one, are those two before noted, the one in the seaventh to the Romans, that the wife is by the law bound to her husband so long as he liueth, the other out of the seauenth likewise of the former to the Corinthians, tending to the selfe same ende in sense or meaning. And as they are in effect but one, so doth he giue in effect likewise one answer to both: to the former, *Atqui Apostolus ibi non agit de causis divorrij.* that is, But there the Apostle doth not treat of the causes of divorce: and to the latter, *Respondeo, Apostolum ibi non agere de divorrij causis.* that is, I answer, that the Apostle doth not there treat of the causes of divorce. but though this in generall bee the substance of his answer to both: yet he proceedeth somewhat further in either of them. To the former he addeth, first that which he thinketh, the Apostle at that time meant; namely, that he did as it were but catch or pluck to himselfe, *ex coniugio similitudinem, quatenus id argumento proposito conveniebat:* that is, A similitude out of wedlock, so far as it agreed to the purpose that he had in hand. Then also, both that the Apostle doth speake there, *non de matrimonio per adulterium soluto, sed de matrimonio constante,* that is, Not of such matrimony as is dif-

dissolved by divorce, but of such as is still in force, and that
 a woman condemned of adultery may not bee said to bee
 vnder her husband, for that *etsi adhuc is est superstes qui vir*
ipsius fuit, non est tamen amplius vir ipsius, nec ipsa potest esse
simul mariti & adulteri caro, that is, Albeit he were yet li-
 uing that was her husband, yet now he is her husband no
 more, neither can she be the flesh both of her husband &
 an adulterer. To the latter he addeth likewise, both that
 he teacheth widdowes there, *soluti per mortem matrimo-*
nio, posse bona conscientia ad secundas nuptias conuolare, that
 is, mariage being dissolved by death, they may with good
 conscience marry againe: and that therein he had respect
 but to the vsuall and ordinary cause, præsupposing, *inter*
fideles quibus scribebat, vix alia ratione quam morte matri-
monia dissolvenda, that is, that amōg the faithful to whom
 he wrote marriage could hardly be dissolved but only by
 death. In the answer vnto both which, what haue wee
 else to ground vpon, but only his own opinion avouched
 againe; and here also but weakely confirmed? Hee saith
 the Apostle doth not here speake of the causes of divorce.
 Who saith that hee doth? What is that to the purpose,
 that of them he speaketh not now? By other occasion he
 speaketh that, which may shew vs, how vnadvised we are
 in this. And why should hee speake of that which was
 not? We præsuppose that divorce was, by the law of God
 allowed vnto them: and the latter Iewes, in the time of
 Christ, seeme much to be of the same minde also, though
 they might so say to some other purpose. But there was
 no such liberty giuen them indeed: and therefore we may
 not looke that the Apostle shoulde speake of it. And
 should we never suffer our selues to be better led, or our
 iudgements to be rectified by any Scripture, but only by

Sect. 27.

Exod. 3, 6.

Mat. 22, 31,

32.

Deut. 25. 4.

2. Cor. 9: 8-
11.

such as specially treateth of the matter wee haue in hand. If Sathan might so far preuaile, by any special ones among vs, he would not only depriue vs of a good part of that direction that wee haue by the word of God: but also might haue an easie way therein besides, to bring in, and settle, many errors among vs. When God spake to Moses out of the bush and said. *I am the God of Abraham, the God of Isaac, and the God of Jacob*, was it his meaning then, to deliver the doctrine of the Resurrection? and yet doth not Christ even only out of it notably deliver the same vnto vs? When God forbad the Israelites to muzzle vp the mouth of the Oxe that trod out their corne, was it his meaning then to teach men howe careful they ought to be to maintaine a Ministry among them? and yet doth not the Apostle wel apply it therevnto? But there were no end of such examples. In the former of them he addeth farther, that he doth but borrow a similitude thence, so far as belonged vnto the purpose he had in hand. What then? Could his reason be good therein, vnlesse that same, from whence hee taketh the force of his reason, were sound it selfe. And if he cā thus put of his Readers, to say, that he doth speake of a marriage that stādeth in force, & by adulterie is not dissolved, doth it therefore follow, that marriage may be by adulterie dissolved? If it be resolved and set downe by him, that being founde guilty of adultery and condemned thereof, shee is nowe no more vnder a husband, or that having committed adultery shee cannot be one flesh with her husband; haue wee here any sufficient ground at al to rest on, for the husband to account himselfe before God discharged thenceforth of al such duties, as by the reason of that his wedlocke hee was before bound vnto? In the latter, was it so needfull a point

point to teach widdows in the Church of Corinth, after that the Gospel was now already received among them; & that had a great part of their light from so many of the ancient people of God conversing among them (with whom such marriages were very common, the Gentiles also being little behinde them therein) that this sentence of the Apostle, which otherwise would serue vs marvelous wel to giue vs sound direction in this, and in diuerse such other matters besides, must so bee restrained to widdowes only, that we, in this case, may not looke to haue any benefit of it? Truely it is good to care for widdowes, & it is a thing that is much commended vnto vs, not only in the word of God, but in all other good learning besides: but in al things there is a meane to be kept; & widdowes themselves (it is to be thought) wil be content, that wiues also haue all their due. Or did he so restraine those words of his, vnto that which was then most commonly vsed, that, for the matter now we speake of, he would not haue vs to take so much of our direction thence? Or did the Apostle presuppose no farther on the behalfe of the faithful as touching their holinesse and constancie in wedlock, but only that *hardly* or *scantly* they accounted wedlocke to be dissolved among them but only by death: or, if of the two, may not a mā that is careful to finde the truth, rather doubt, that this is but an hard & a scant interpretation of this place of the Apostle? That which is of severall force by it selfe, is out of this chapter also of that Epistle vnto the *Corinthians*, where the Apostle saith, that not hee, but the Lord commandeth women not to depart from their husbands, and, if they do, to seeke to be reconciled againe, or to abide vnmarried: & that the husbands put not away their wiues. Wherevnto he saith, *Respondeo, Paulum hic nō*

1. Cor. 7: 10.

ibid. p. 110.

Sect. 21.

agere de divortio sed de dissidijs qua propter similtates inter conjuges interdum oriuntur: adeo ut interdum una pars ab altera secedat. Quod si evenierit, nō vult Apostolus ejusmodi discessione solvi matrimonium: that is, My answer is, that Paul did not here speake of divorce, but of such contentions or debates as arise sometimes betweene man and wife vpon hart-burning among themselues : so that sometime they depart the one from the other . Which if at any time it come to passe , the Apostle will not, that by such departing, matrimonie be dissolved betwixt them. He proceedeth somewhat farther, I grant, to confirme his iudgmēt therein, I meane, that this must be *S. Paul's* meaning : and so me thinke he had need in deed . For otherwise, besides that the Text it selfe doth not in appearāce lead vs to that cōstruētiō (whatsoever it may do by implication , wherein we are to see anon how himselfe doth gather thereon) it seemeth to me, that, in either of the Apostles dealing in such matters, we haue a great likelyhood, that this should be no part of his meaning. For it had beene a very great & an intolerable disorder (and such as, not only the people of God, but evē all the heathen also generally, did ever detest, vnlesse it were some speciall od loose persons among thē, that now & then would not sticke to breake forth to such disorder) if that had beene in vse among them : and most likely then, that the Apostle woulde otherwise haue stormed against them, as he did for other matters , as for the variance that was betwixt them, & for those disorders, in partaking that holy Communion, both which hee might lay to the charge of many of them, and for suffering that incestuous person, though hee were but one . Whereas therefore the Apostle is wont to be so round when occasion was given him , and gaue so good experience of it e-

ven in this Epistle also in divers things els, it may rather seeme, that seeing it were such a disorder, so easily vpon variance to breake of the bond of marriage betwixt them, that that was not the thing, that S. Paul there doth speake of, but some other thing that was more vsed & more tolerable also, and yet not to be allowed neither; as, for the woman so to depart, or for the husband to put her awaile, either for adultery, or at the least vpon some great occasion or cause given whatsoever it was. Else I should hope, that among them, for any matter so apparantly so fowle, even among the heathē also, the Apostle should not haue neede to haue vsed the name of the Lord therein: or at least should thinke, as I said before, that he would haue set his instrument on some other tune, for a matter of lesse importance then it. Now the reason that himselfe allea- geth, why he is perswaded that that is the sense of the A- postle, himselfe in this manner giueth in vnto vs. *Hot au- tem ita esse, manifeste indicant Apostoli verba, qui inquit in genere: Vir uxorem ne dimittito, & uxor à viro ne discedito. Quid si enim adulterio peccarit altera pars, annon innocentē licebit saltem à nocente discedere? Relinquitur ergo verum es- se quod diximus, nempe, Apostolum de simultatibus & rixis, non de vero diuortio loqui: quod mirum est Augustino in mentem non venisse.* that is, But that this is so, the wordes of the Apostle doe most plainly declare, who generally saith, or speaketh to all indifferently, Let not the man put away his wife, and let not the wife depart from her hus- band. For what if either party shall commit adulterie, shall it not bee lawfull for the innocent party, at least to depart from the offender? So it must needs be true that we said, namely, that the Apostle did not speake here of true diuorce, but only of contentions and brablings: which it

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is marvel that S. Augustine did never thinke of. Whether these words of the Apostle do so plainly prone it or not let others iudge; for betwixt vs, I peceiue very well, that in no wise it can be decided. For what prooffe hath it at all, but only which standeth on this principle, that the innocent party may in such case at least depart from the other? But what warrant any where haue we for that, either in the old Testament or in the new? In policie, I grant and for the hardnesse of our harts it may after a sort bee tolerated among vs: and among the Iewes before: but where haue we otherwise any one authority for it, when it is rightly examined? Againe, as yet I see no cause to the contrary, but that a simple man might so strongly hold, that the especially the innocent party had more iust occasion to stay, then to go, that I think it might cūber the most learned that is, to bring in any reasonable probability against it: and much more, to evince it indeed. So strong is the charge, that all married couples haue taken vpon them, the one of the other; and so weake it is (setting our owne private affection aside) whatsoeuer it is, that as yet is brought to the contrary. And therefore I beleene that himselfe did not wonder more, that S. Augustine never conceiued so much of it; then any indifferent one of his Readers will marvell that hee should make it so cleere a case as he doth.

How weakly they reason on the authoritie of men.

First, out of those that may seeme to be with them,

22 Of those reasons of theirs that rely on the authority of men, we haue two sorts likewise: whereof some of them stand on the authority of those that in some sense may seeme to be with them; and others againe, on the authority of those that are against them. Those that in some sense may seeme to be with them, are of two sorts also: some that are directly with them; and others besides, that

that are not against them. Those that are directly with them, are of two sorts also: some, in their opinions; others in their doings only. Of both which by Erasmus, among others of that kind, we haue noted vnto vs, that first among the ancient Fathers *non defuerunt qui senserint à recte dirempto matrimonio, licuisse cum alia copulari.* that is, That there were who thought that after marriage well dissolved, it was lawfull for them to marry another: and namely, that Origen, Tertullian, Pollentius (whome belike because otherwise he was not to haue his place in this company, he tearmeth *Gravem & eruditum virum*, that is, A graue and a learned man) & Ambrose, were al of the same opinion, or at least did at some time incline vnto it; and that Augustine, though he wrote against the aforesaid Pollentius about that matter, yet that hee dealt not with him as with an hereticke, but as with an adversary in that opinion only, & did in such sort confute his opinion, that neverthelesse he did not therein charge him with heresy. Againe, that *clare pronunciat sceleratius esse extra connubium libidinari, quàm à divortio novo marito iunctam vivere*, that is, that he cleerely pronounceth, that it is more wicked, out of wedlock to play the harlot, then after divorce to liue in marriage with another husband. Againe, if a woman that after divorce marrieth another, that he doth not simply deny her *huius esse uxorem; sed magis esse illius quem relinquit, quàm cui nupsit*: that is, to bee the wife of this man; but rather to be the wife of him whom she left, then of him whom she hath married since. Then also that *si recentiorum opiniones excutiamus, quibus hactenus plurimum authoritatis & fora & schola tribuunt, comperiemus inter hos fuisse, qui putarint matrimonium posse dirimi, aut certe qui putarint hoc argumentum esse disputabile.* that is,

Annot in 1.
Cor. 7, pag.
492,

Ib. pag. 493

Er. pag. 508

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That if we examine the opinions of the latter writers, unto whom both Courts and Scholes doe attribute much, we shall finde that some there are among those also, who thought that marriage might be dissolued, or at least that it was a disputable argument. Concerning which matter, though he haue somewhat in Iohn of Andrew for espowls or marriage that is not finished by carnal knowledge: yet, in that which is consummate he findeth so little, that he is faine to hold him contented with that same Iohn and two more, which are, Panormitanus, and Hostiensis: and hath no more in them neither, but onely that one of them leaueth it to the iudgemēt of others, hauing first brought arguments both against it, and with it; another but disputeth it only, and thiinketh the contrary side to be the more probable: and the third doth but seeme to bee for it also, namely of that opinion, that the Church might doe it. That such things sometimes haue bin done, he bringeth in two miserable examples: the one, that Pope Zacharie, in a case of incest allowed the innocent wife of the incestuous husband to marry againe; the other, that *Antonius narrat, sibi conspectum fuisse diploma, quo Rom. Pontifex dirimebat matrimonium ratum & consummatum*, that is, Anthony reporteth, that he had seene a Bul, wherein the B. of Rome did abolish or dissolue matrimonie that was fully establisshed, and (by carnall knowledge) consummate. And one other of good reckoning among vs, hath (for the former) added thus much also, that the Pastors & Doctors of the reformed Churches haue *perceiued*, & *shew ed*, that in such case a man may put away his wife, and marry another. And true it is that diuers of them haue resolved on that opinion, and haue published the same accordingly: but whether they haue *perceiued* or found it to be

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so indeed; and whether they haue shewed, or by any sufficient demonstration declared the same, let that (as yet) lie in question betwixt vs, till we be further advised of it. Againe, that the Fathers do not so fully consent & agree together against it, as the adversary that hee hath chosen doth beare men in hand that they did: but were many of them for it; especially, for the first foure hundred yeeres. An argument, that the better it can be proued, the stronger it will be indeed; both against that adversary of his, & against all others of that company: but simply to beat out the truth of the question, a reasonable good presumption indeed, but that is all. Of those that Erasmus alleageth as not against him, he is if we mark it little better furnished: and his choice is of those two whom before he alleaged: Iohn of Andrew, and Panormitan. And, seeing, the waight of that matter hangeth not on that pinne, I haue not thought good to goe any further, then to so much as himselfe hath gathered. And so astouching the former of the, the help that he getteth of him is this, that *proposito casu, an Pontifex possit indulgere, vt filius unicus Regis monasticus, ducat uxorem, eamq. habeat donec gignat prole masculam: rationib⁹ in utraq. parte adductis, pro neutra pronunciat, rē aliorū arbitrio relinquens.* that is, propounding a case whether the Bishop of Rome, may dispense with a Monke the only son of a King to take a wife, and to haue her vntil he haue begotten issue male of her, bringing in reasons on both sides, he determineth for neither, but leaveth it at large to the iudgement of others. Which (we see) is but one speciall case, and doth not concerne this of ours: and yet that in that case also, although hee doth not pronounce against him, yet in that hee maketh such dainty in so speciall a case as this, hee sheweth himselfe plaine enough how

pag. 495.

Sect. 22. hard hee would bee in the whole generally. And that doth the other more plainly acknowledge, who reciting the same of his, addeth thereto thus much of his own. *Ego satis putarem, quod nullo casu Papa posset dissolvere matrimonium consummatum inter fideles; ita quod eligerẽ partem negativam:* that is, I should rather thinke, that in no case the Pope might dissolve matrimony consummate both the parties being faithful, so that I shoulde chuse the negative part. So that al the helpe which (he conceiveth) he hath in him, is no more but this. *Nec hic asseverat, sed argumentum ut disputabile proponit, cuius alteram partem ipse putat esse probabiliorẽ:* that is, Neither doth this man affirme it, but he propoũdeth the argumẽt, as disputable, himselfe thinking the other part to be more probable. And so likewise by and by after commending one special reason, for that out of it an argument may be taken, *quod etiam Ecclesia nõ posset illud dissolvere:* that is, that even the Church cannot dissolve it, he gathereth thereon, *Rursus hic non affirmat Ecclesiam non posse dirimere matrimonium consummatum, imò potius innuit posse: licet ex hoc capite dicat posse sumi argumentum pro diversa parte. Neg, statim expugnatum est, quod oppugnari potest argumento :* that is, Againe hee doth not here affirme, that the Church cannot breake asunder marriage consummate already, yea rather he implyeth that it may: although he say that out of this place an argument may be taken for the contrary side. Neither is it by and by won, that is at any time by reason attẽpted. How poore helps these are, I think that every one will soone perceiue: I for my part wil so much spare them, that nothing at al I wil disturbe them. The argument that they take of the authoritie of those that are against them, is in effect no more but this, that whatsoever is brought by any against

that cōceived opinion of theirs, it is al but weake & may easily bee answered. And for this point I haue thought good to note, not only that iudgement before to haue beene in *Erasmus* abroad: but also, that yet it seemeth in part to remaine in that one of good account among vs at home (that before I spake of) vpon whom, diuerse I heare doe rest not a little. That *Erasmus* was of that minde, his words are plaine: *Videbam ea quae obijciuntur, facile posse dilui, citra nostrae religionis injuriam. Videbā rationes quas adducunt hac in causa veteres & neoterici, non esse tam vrgētes, ut ad tantam adigant necessitatem hominum genus: that is, I saw that those things that were objected, might easily bee answered, without doing of any wrong to our Religion. I saw that the reasons which the Fathers of old, & the late writers do bring for this matter, are not so vrgent, as to driue mankind to such extremity. Wherein whether he were deceived or not, or whether hee had but some overweening conceipt of that his motion, let it rest for me, vntil the cleerenes of the matter it selfe (being first beatē out) may teach vs both, whether it be so, or not. But true it is, that before hee had noted some things that might seeme to be no smal part of the foundation and ground of that his opinion: as namely, from what authors such perswasion came, and how wrong they were in some things else besides, even the best of them al. For the former of them, *Iam ut demus, saith he, conjugium legis esse divinae, certe pleraque circa matrimoniorum causas tractantur ad ius positivum pertinent, veluti de gradibus, de impedimentis, de rescissionibus. Neg. haec decreta à synodis celebribus profecta sunt ad nos, sed à privatis Pontificum responsis, & ex nonnunquam à seipsis dissentientibus: that is, Now that we grant that wedlocke it selfe is of the law of God, yet many things that are hand-**

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led about the causes of matrimony, do appertaine to the positive lawes, as of degrees, of impediments, of vndoing againe. Neither did these decrees come vnto vs from the more famous Councils, but of the private answers of Bishops, disagreeing sometimes even from themselves. For the latter also, *Nec mirum est, veteres illos tam iniquos fuisse divortio, quod & apud Ethnicos fuit odiosum, qui conjugium etiam egre admiserint, egrius digamiam*, that is, Neither is it marvel, that the ancient Fathers were so hard to allow of divorce (which was an odious thing evē among the Heathen also) who did but hardly allow of marriage it selfe, & much hardlier of second mariages. In both which he sheweth himselfe to be of opinion, that this restraint of such divorce as he would plead for, is only of men (one fowle gawle in the argument:) & then, that it proceedeth from such mē also, as whose credit (one way or other) is, in such cases, but very smal, for which I meane not here to cōtēd, but wil rather adiourne it vnto such accōt in the end, as the issue of the cause shal then afford it. And yet so far as I am able to see into it, he needeth not so much to trouble himselfe in spying holes in that iudgement of the Fathers of old, as, in this, to defende his owne. In which respect I marvel the more, that he findeth so many faults with that kinde of divorce which only in this case standeth by law among vs, 1. *Primum*, saith he, *ita licebit divertere, ut postea vivat castratus & orbis*. 2. *Deinde si post suspicionem adulterij rem habuerit cum uxore, excidit à jure repudiandi*. 3. *Adhuc si ipse quoq. fuerit adulter, cogetur cū adultera coherere*. 4. *Postremo, particulam exceptionis huc detorquemus, nō ut jus faciat marito repudiandi, sed ut si repudiet, non facturus sit adulteram, quandoquidem jam adulteram abiecit*. Nam id Augustini commentum est, that is, First we have divorce but so far

Pag. 498.

allow-

allowed vnto vs, as that whosoever will vse it, he must afterward liue as a gelded man, and without (possibilitie of) children. Then if after suspicion of adultery, hee neverthelesse haue to do with his wife againe, then is he false from the right he had to sue the divorce. Besides, if himself haue committed adulterie too, then must he stil cleave vnto his adulterous wife. Last of al, that parricle of the Exception we wrest vnto this, that it shal not giue any right to the husband to put away his wife (for adultery) but, if he do it, then he doth not make her an adulteresse, because he doth not put away but such an one as is an adulteresse already. For that is, saith he, *Augustines* conceipt thereof. Wherein though he did seeme to himselfe, then to haue found many faults in that their iudgements; and, in the last, with *S. Augustine* himselfe: yet I doubt not, but that in the end it wil appeare, that therein he troubled himselfe more then he needed; and in the meane season, that every one may perceiue that he counteth those such faults, but onely in respect of that presupposall, that such divorce as he requirereth, doth vndoubtedly stand on the authority of the word of God, which if it doe not, will soone make those great faults of his to be none at all. As touching that other that is of the same iudgement likewise, he also accounteth that to be weake which is brought against it; and accordingly dealeth therein: and especially against one, whome hee hath made his choice aduersary in it, for whom also, I for my part (but so far as he hath the truth) will craue no sparing. More specially whereas *S. Augustine* is accounted to be the strongest of all against the liberty of divorce for adultery and marrying againe, he noteth more weaknesse in that iudgement of his, then others doe that yet I haue scene: both in his owne confession after, & in mistaking a

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part of the Text. But how far that weakneth the force of his iudgement is not so needfull for vs to discusse: as not so materiall but onely to such as rest some parte of their iudgement on him, which in this I meane not to doe.

What inconvenient
speeches
they haue
besides: E-
rasmus espe-
cially.

23 What inconvenient speeches they haue besides, if now we examine, the truth is, that all of them (lightly that I haue seene) haue some: but yet that Erasmus, the leader of them, hath therein so far gon beyound them all, that none of them (so far as yet I haue found) haue attained vnto him. And because inconvenient speeches, though they be no certaine argumētts that the cause is not good that is handled by such; yet are they faire warnings for any in such case to take heed, because they proceed from a troubled mind, and most commonly argue a want of the truth, and even by that only oftentimes are occasioned: therefore it shall not be amisse that we somewhat consider of them, but first of those that we finde in Erasmus; then, of such as we finde in others. Of those that we finde in Erasmus, there are two sorts: some of his owne, & for which himselfe is to answer; others, that are none of his, but belonging to such authors as himselfe bringeth in to help to beare out his owne persuasion therein. Those that are his owne, are of two sorts also: some concerning his own iudgement in this matter; others, concerning the Scripture it selfe. Concerning his owne iudgement in this matter, he hath in such sort ordered his speech therein, that although he hath not plainely set it downe, yet hee seemeth to incline vnto it, both that certaine disorders in making of mariages should be good cause to dissolue them againe: and that even the wickednesse of a woman, want of children also (belike he meaneth of such as are legitimate; & that he may not so account of those that either he had or here-

Such as are
his own,

Concerning
his iudge-
ment here-
in.

here-

hereafter might haue by his adulterous wife) yea & burning lust also, should be good causes likewise to marry againe. For the former he saith. *Apud ethnicos nō erat ratum matrimonium, nisi parentum aut tutorū auctoritate comprobatum, ne apud Iudeos quidem, & tamen apud utrosque aliquo modo dirimi poterat matrimonium. Apud Christianos facillime coit conjugium, & semel initum nullo modo potest diuelli. Furtim inter pueros & puellas per lenones & lenas, inter stultos ac temulentos copulatur matrimonium, & tam turpiter initum indissolubile est, & quod magis est notum, sic initum fit sacramentum.* that is, Among the Heathen there is no marriage accounted of force, but that which was approued by the authority of parents or tutors; neither yet among the Iewes: and yet with both those might matrimonie, some way or other, bee dissolued againe. Among Christians marriages are most easily made, and yet being made, may by no meanes be broken off. By stealth betwixt boies and wenches, by bawds and harlots, betweene fooles & drunken persons haue mariages beene made: and yet, a marriage being so ilfavourdly made, may not in any wise be dissolued; and, which is the straunger of the two, is become a Sacrament also. To which ende soone after hee doth likewise insinuate, that if the Magistrate or competent Iudge should dissolue such, then were they rightly dissolued by the *Ministers of God*, which before were naughtily made by the *Deacons of the diuel*. For the latter, hee saith likewise, *At interim seposita paulisper auctoritate scriptoris rem ipsam mecum expendat lector, num haec satis graves sint causa cur innoxius maritus debeat alligari scelerata mulieri, orbitatis molestiam, & libidinis incendium ferre per omnem vitam: ne vel parum prudens habeatur à quibusdam, quod rem qua non successerit, denuo sit aggressus (quasi turpe sit, qui*

Anot. m. r.

Cor. 7. pag.

499.

Ibid pag.

500.

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semel tempestatem expertus sit, iterare navigationem; aut qui in deligendo amico erraverit, quenquam alium in amicitiam admittere) vel intemperans, aut avarus, qui formam aut dotem mutare voluerit, non uxorem. that is, But setting aside for a while the authority of the writer (meaning S. Ierom) let the reader consider with me the thing it selfe, whether these be causes of sufficient importance (that then men would easily take occasion divers waies, to breake of and to marry againe) that the husband should be tied to a wicked woman, or that he should suffer either the griefe of the want of Children or the heate of lust all his life long, least he should be accounted of divers either vnwise, that hauing taken in hand such a course before as did not fall out well with him, he neverthelesse doth take it in hand againe (as though it were a shame, that hee which once had beene in a tempest, should goe to the seas againe, or he that had beene before decciued in choice of his friend, should never admit any other into his friendship againe) or intemperate, or covetous, as though he rather desired to make his exchange of (more) beauty or (better) dowry the of his (so bad a) wife. Which course of his if any people should establish by law among them, it were hard to finde how it might bee avoided, but that for matters of marriage, & all others thereto appertaining, some would all be cleane out of order. For first as touching so large a liberty of divorcing their wiues away from them, vpon any of those so many braunches of disorderly marriage, we may plainly see, that it would lay open a ready way to many divorces: for because those disorders are such, as that wee may conceiue no hope, that either they will or may be amended. So likewise for marrying againe therevpon, if but the two first causes onely might bee allowed soone

soone should we see, that such a liberty, so freely graunted, would be (by many) as freely vsed: but then, if the third should be added withall, that so oft as it would require, it should still be allowed a new and fresh marriage, and not beaten back to the former againe, then as we haue a pro-
 verbe in another matter, so should wee quickly finde it in this (to the shame of our faces that had so taught them) that but set a begger on horseback, & we may be sure, that he will ride. Concerning both which, although it may be that if Erasmus had beene, directly demaunded, whether he would haue allowed such liberty or not, he would haue bethought himselfe better, & in the ende would haue denied: yet seeing he hath senced his speeches no better, but that in the heate of his reasoning for the other, hee hath so farre overslipped himselfe in these, that the reader may probably gather, that he was of that iudgement indeed, therefore must he now be content, that these also bee taken for part of his inconvenient speeches. Concerning the Scripture it selfe, he hath so many hard speeches of the same (such I meane as may be taken ill, and in appearance doe most incline therevnto) that it may seeme, that both he found that new motion of his to bee very much crossed thereby, and that hee could not quietly beare it, that so it should, and therevpon vttered those speeches of it: somewhat of the whole generally; but much more, of Saint Paule more especially. Of that which hee vttered of the whole generally, I haue noted no more but this, and that but only towards the ende of his Treatise. *Videbam Scripturam*, saith hee, *hac in parte, ut plerisque*, *esse perplexam & ancipitem*. That is, I saw that the Scripture was in this point, as in many others, intricate and doubtful. Of which, for this point, albeit he had some probability

Concerning
the Scrip-
ture it selfe,

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lity so to say, so long as those places aforesaide were so much mistaken, & by so many, as they were: yet those places being duly considered, we may now plainly perceiue, that the Scripture is plaine inough for the negatiue of that Motion of his; and that al the hardnes and doubtfulnesse of it, is for his Affirmatiue only. Which might and should (I thinke) haue taught him, rather to haue suppressed that his doubtful motiō, than for it so hardly to speake of the Scripture it selte. That which he vttered of S. Paul more specially is dispersed almost throughout this whole Treatice, especially while he answereth the places (after this manner) that are brought against that opinion of his. For in answering the fifth of *Matthew*, *Non probat Paulus*, saith he, *digamiam: & tamen, ob incontinentiam permittit, quod non audet exigere: satius esse iudicans, nubere quam uri. Et nos de rigore diuorij, nihil omnino relaxamus?* that is, Paul doth not allow the second mariage, or a widdow to marrie againe: and yet for incontinencie he suffereth (as I take it) the second marriage, which he dareth not require (or as I take it, as more agreeable vnto his meaning, howsoever the words do somewhat vary, that he alloweth to marry againe; because he dare not so strictly require that they containe) thinking it better to marry, than to burne. And do we release nothing at al, of the hardnes or rigor of diuorce? In which speach of his the inconueniencie that I speake of, resteth especially in these two points: that Saint Paul allowed not of widdowes marriage; &, that himselte accounted, that to allow of diuorce no farther than it was then (which notwithstanding was as much, as any of vs may lawfully challenge) was too hard and rigorous dealing. The text is the 19. of *Matthew*, wherein while he dealth, there he saith againe, *Paulus indulget humane fragilitati*

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tati, relaxans se penumero Domini praeceptum. Cur nō idem facere possit Romanus Pontifex? That is, *Paul* beareth with the weaknes of man, releasing oftentimes the Lords commaundement (what? often: where once?) Why may not the Bishop of Rome do so likewise? what else? Cōming to those places that the Apostle hath, and beginning with that which he hath in the seaventh to the *Romans*, there he findeth his motion so probably at least, but I would rather say so strongly crossed, that it must be, *Paulo peculiare, nihil non torquere ad Evāgely negotium, pia, Christianāq, vafricie, &c:* that is, *Pauls* fashion, to wrest any thing for the Gospels sake, with a godly and Christian subteltie. And anon after, on that other place in the seaventh of the first to the *Corinthians*, in effect al one with that to the *Romans*, he also is the same that he was before. For there the Apostle (with him) must be *lubricus in disputando, nunc huc se praeiens nunc illuc*: that is, slipperie in disputing, shifting himselfe, now hither now thither: therein alleadging *Origen* besides, something to accord to his iudgmēt therein. And on the latter of those two places in that epistle to the *Corinthians* (which though it be in the Text before, yet is it cōmonly taken after as a several place by it selfe) there also both he calleth the law of God, the Apostles law, & by & by after, he doth charge him with rigor also. For as touching the former he saith, *verum haud scio, an Paulus tribuerit hac in parte nonnihil suae legi, &c:* that is, But I know not, whether *Paul* in this point did attribute much to his owne Law: and for the other, *Quod si Paulus tribuerit hac in parte nonnihil suae legi, &c:* that is, But I know not, whether *Paul* in this point did attribute much to his own law: and for the other, *Quod si Paulo proposita fuisset huiusmodi causa, stultus cum stulta, puer cum puella cōtraxit, &c:* fortasse

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pro causa circumstantijs aliud responderet Apostolus, & non nihil relaxaret de rigore consilij superioris, sua scripta civilius nobis interpretaretur, quam nos interpretamur: that is, But if such a case had beene to Paul propounded, one foole with another, a boy and a wench haue married together, &c: it may be that the Apostle, according to the circumstances of such a case, would giue vs some other answer, & would remit vnto vs no smal part of the rigour of that his advise, and would interpret his writings more civilly vnto vs, thā we our selues are wont to take them. Where also we may farther note, that he tearmeth it (if hee keepe to his place) but the Apostles advise or counsell, which the Apostle himselfe calleth the *Lords commandement*: and that hee doth something insinuate farther, both that the Apostles rule was not absolute (for that, in the case that he did put, hee thinketh that he might haue given it another answer) & that the Apostle himselfe were so flexible, that in curtesie he would haue yeelded something vnto them in that matter. And last of al, towards the end of that Annotation or Treatise of his (that yet he may part with him in friendlie manner) he giveth this speciall commendation vnto him, that he is so careful of the salvation of others, that to that end, *nonnunquam etiam detorquet sacras literas*, that is, hee often even wresteth the holy Scriptures. But the Scriptures, it is wel enough knowne, do so directly tend to the *salvation of vs* and therefore need so little to be wrested to that end, that we haue heere no wonders thā one: first, that Erasmus could ever so write of the Apostle, and did not rather suspect his own motion, when he saw whether it brought him; then also, that others, so many, and of so speciall reckoning, did not take that as a warning to them to haue leene somewhat better vnto it, that therein they

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they had not followed him so much as they did. As for those others, that are none of his own, but found in those Authors that himsele bringeth in to helpe to beare out his owne perswasion, I note no more but this, that where- as there he alleageth but only three of the ancient Fathers (Origen, Tertullian, & Ambrose) yet even in those, & in every of them, himsele hath noted somewhat withall, that may crack their credit for this matter: a crasie point of doctrine belike to bee tried by the Fathers, if it had no better help then he then knewe of. And though he might haue made better choice then so, yet that also, in this case had little holpen, because it is not by them, that the estate of the question standeth, as now wee set it. So, for these we shall not need so much as to recite them, but may better referre those that would see them to the place it selfe; yet this notwithstanding is worthy the marking, that most of the learned (that yet I haue seene) that since haue followed that course, do in like sort rest on those Fathers also and lightly goe no further neither: whereas we haue one of our owne, that hath so far enriched that point beyond them all, that although it be not such as is thought meete to be published, and was written but on speciall occasion; yet therein we may see more learning vttered for that matter, then in any of those that in other countries haue written thereon, though we (in our wonted humor) haue them in better account.

Such as
are in the
Authors
whome hee
alleageth.
Pag, 492,
493.

D R. in all
his third
Chapter.

24 Of those that wee finde in others, there bee two sorts: one, that is common generally vnto all; and others that are proper only to certaine of them. That one that is common generally vnto them all, is, that they doe so resolutely make it to bee the duty of the Magistrate to punish adultery by death, & account it his negligence if

Inconveni-
ent speeches
in others.

General
all

if

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Art. 7.

More spe-
ciall to cer-
taine of the

if he do it not. All which kinde of speeches I account in-
convenient in two respects: first, because so they doe im-
ply (withall) a point of doctrine, more then they ought;
then also, for that most of the Magistrats of all Christen-
dome are such, as, if it were wrong, yet could they not
help it would they never so faine. That point of doctrine
which those speeches do implie (withall) more then they
ought, is, that the Judicials of Moses should of necessity
be obserued in our government also; or, that Christian
Princes are bound to obserue the same: a point of doc-
trine that diuers are oftentimes leaning vnto, but such as
may not be vniuersally held (I meane, for all those Judici-
als) neither is it further vrged by the better sort but accor-
ding to the equity of them, & the negatiue plainely held
by this Church of ours. That most of the Magistrates of
all Christendome are such, as that, if it were wrong, yet
could they not help would they never so faine, it is plaine
enough in it selfe, for that they deale with no power over
those that are vnder them, for lands nor goods, life nor
lim, but so far as those lands by which they govern allow
vnto them: & that no lawes are allow'd to stand in force
among vs, but only such, as wherevnto all the estates doe
first condescend. And then, if the Magistrate (although it
were a thing to be wished, and himselfe were, for his part
so inclined also) be so little able to doe it, they do by such
speeches, not onely farther charge him then there is on
his part any cause, but also let downe no small part of his
credit or honour among the people, which they should
rather seeke to maintaine, knowing that the people are
ready enough (of themselues) to thinke so meanely of
their Superiors, that they need no such provocation vn-
to it. Those that are more proper to certaine of them, are

two:

two: one, that they bring in so many things else, to dissolve the band of marriage; the other, that some of them account it so much against duty, to forgive their offending wife. If many waies else marriage may be dissolved in the judgement of divers of them, then (in their judgement) were it but a loose and a slender band: which notwithstanding the word it selfe maketh to be the strongest and fastest of all others, above that which is betwixt neighbours and friends, yea and betwixt Parents and their children, either by the duty of the one, or by the naturall love of the other. That divers of the account that many waies the bond of wedlock may be dissolved, *Peter Martyr* is of that credit among vs, that his only voice may stand for many, and teach vs also to conclude, that if he be a Patron of that opinion, then is hee not likely to want other followers besides. He therefore, when he is handling of that point, that man & wife must keep together, addeth thereunto, that he doth not so say, *quasi nunquam liceat conjugibus quandoq; à se invicem dividi, vel per morbum, vel per aliquas graves incidentes necessitates: sed ut cōjuges intelligant, nihil per suam voluntatē debere obstare, quin simul habitent, neq; refugere debent, ut unā vivant.* that is, As though it were never lawfull for married folk to be sundred againe the one from the other; either by disease, or by some other speciall necessities that may befall them: but that married folke vnderstand, that, by their owne good will nothing should let, but that still they cohabit, and that never they ought to shrinke from living together. And by and by after, putting the case of an Atheist, though a while he make some question thereof, *quia non licet de quopiam, dū vivit animum despondere, &c.* that is, because we may not dispaire of any man while he lieth, *nisi manifesta & pra-*

More causes of divorce,

Sec. 24.

P. Martyr

In 1. Cor. 7. & in loc. com, claf. 3. c. 10. l. 69. p. 306

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ibid. Sect.
70, 71,

caput revelatio de damnatione illius intercesserit. that is, Vn-
 lesse some manifest and principall revelation shall bee gi-
 ven of his condemnation (an hard case to bee found:) yet
 afterward he plainly concludeth, that a faithfull woman
 may depart from such an atheist husband, if in the meane
 season he blespheme and curse Christ, and will not suffer,
 either that himselfe bee therein reprov'd, or the truth of
 Christ be by her acknowledged. But in the next two Sec-
 tions following, both he setteth downe the same liberty
 for the one that is weake, and by the other partie drawne
 from that faith by little and little: and answereth be-
 sides divers obiections that he taketh to be strong against
 it. *Item si contingat,* saith he, *ut conjux fidelis debilis sit, &*
sentiatur ex eo matrimonio se de religione Christiana paulatim
deici ita ut abducatur quodammodo à fide, ac in idololatriam
ex idololatrarum convictu in proclivem sit ut ruat. that is, Al-
 so, if it fall out that the party faithfull be weake, & findeth
 it selfe, by the reason of that matrimonie, by little & little
 to be carried away from Christian religion, so that he bee
 after a sort led away from the faith, and be in some special
 danger to fall vnto adulterie, by the reason of his conver-
 sing with idolaters: in this case his resolution is, *Non opor-*
tet ut maneat, that is, he is not bound in such case to tarry:
 and his reason is, for that we may not doe evill that good
 may follow. To which ende also, vpon that place of the
 Apostle he added further, that it is apparant, *sententiam*
Christi, quæ tantum excipit fornicationem, non esse completam,
cum hic Apostolus alteram adjecerit: that is, that the sen-
 tence of Christ, whereby hee excepteth no more but
 fornication only, is not complete or full, whereas the Apo-
 stle doth here adde another cause besides; hee meaneth,
 when the infidel departeth from the faithfull, in cause of
 religion

religiō. *Zege dinus* followeth the selfe same course to speak
 of, first in that same sentence of Christ: then in that
 presupposed libertie of divorce. On that sentence of
 Christ, *Quidam*, saith hee, *litera*, seu dicto Christi mor-
dicus inherentes, clamant propter solam fornicationem
matrimonia dirimi posse. Verum, cum Paulus permittat
repudium palam mulieri fidei, si propter religionem negli-
 gatur, & abjiciatur à viro infideli, ac significet, nō in fornic-
 ationis tantum & infidelitatis casibus, fratrem aut sororem ab
 altero separari posse sed & in similibus (ait enim, non est ser-
 viti subjectus frater aut soror in huiusmodi, ubi paria peccata
 intelligit) liquide ex his constat, Christum fornicationis nomen
 in genere accepisse per metonymiam, ac nomine fornicationis
 seu stupri includere ea scelera quæ fornicationi paria, aut certè
 maiora sunt, excludere autem minora: that is, divers cleaving
 vnto the letter or speech of Christ over-precisely will
 needs haue it, that marriage may be dissolved, for no cause
 else, but only for adultery. But seeing *Paul* doth plainly al-
 low of divorce vnto a faithful woman, if for religion she
 be despised, and cast out by her vnbeleeving husband; and
 signifieth withal, that a brother or a sister may bee separa-
 ted againe, not only in case of fornication and infidelitie,
 but also in others such like besides (for he saith, that a bro-
 ther or a sister is not brought into bondage in such things
 as these, where he vnderstandeth such like sinnes:) it doth
 plainly appeare by these, that Christ by the figure of Me-
 tonymia did largely take the name of fornication, & that
 vnder the name of whoredome hee did include all such
 crimes, as were as great, or greater than it, and that he did
 exclude or shut out of the same but only the lesse, and his
 reason is, *Qui enim posset Apostolus contra preceptorem suum*
docere? that is, For how can the Apostle teach that, which

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Zege dinus.
 In loc. com.
 Proleg. in
 iab. 1. & de
 vortio.

Moris
 et
 de
 de
 de

De
 de
 de

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In append. ad
tab. 1. de di-
vortio. p. 148.

Not to re-
ceive againe
the wife of
fending.
Beza.

De Repud. &
divort. p. 113.
114.

would be contrary to his Masters doctrine? In that presupposed liberty of divorce hee saith likewise, *Fieri non potest, ut rei fide nomine intelligantur leves causae, ut vel morum culpa, vel corporis vitium quo maritus offendatur: excludantur verò majores causae, quibus matrimonia magis dirimi possunt:* that is, It cannot be that vnder the name of some uncleane thing (spoken of, Deut. 24. 1.) small matters should be ment, as some fault in behavior or manners, or some deformitie in the body, wherewith the husband may be offended: and that greater matters should be excluded, for which marriages might be much rather dissolved. That it should be so much against duty, to forgiue the wife that so hath offended, Mr Beza is both very plaine and copious therein, as having of purpose handled the same: and yet more moderate therein than some other are, and therefore I rest only on him for this matter. And of this matter he setteth two principal questions: the one, of detecting such a wife to the Magistrate; the other, of receiving her againe to favor. Concerning the former, first he setteth the question, *An teneatur innocens persona nocentem deferre*, that is, Whether it be the duty of the innocent party, to accuse the other that hath offended vnto the Magistrate. And his answer (in effect) is, *Magistratui in primis indicare maritum vel uxorem praecipue decet, ne dum praepostera charitate alienum peccatum foveant, justam lenocinii suspicionem incurrant:* that is, that right wel or chiefly it becommeth either the husband or the wife to complaine thereof to the Magistrate, least while they with a preposterous loue do cherish the fault of the other, they incurre a just suspicion, that they are no better than bawds themselves. And being then farther demanded, whether we may not *privatam injuriam condonare*, that is, forgiue our owne private iniurie, hee so far intitleth

tleth the Common-wealth vnto it, & maketh it to come so neere vnto Anabaptistrie, that he cannot allowe it: and he addeth in the end, *Nā certe Christiana charitas malis non favet*, that is, For certainly Christian charitie favoureth not (either evil things, or as I should rather take it) those that are evil. So likewise, being further vrged with the example of *Ioseph*, that did not deale so hardly with *Marie* his espowfed wife, and that he was commended for that his moderate dealing, he answereth that it was but doubtful in him, and that hee had no certainty of it, and therefore, that in that respect, he did the best, as his case was. But what letteth, but that a man might rather thinke, that *Ioseph* made no doubt of the matter (as then also himselfe had gon too far) but thought himselfe very certaine of it? then is this obiection vnanswered as yet. And Mr *Beza* himselfe alloweth *Ioseph* thus much to put him out of doubte of the matter (if that may serue) that *uterus eminens pregnantem esse demonstrat*, that is, that her belly being growne so great as it was, did plainly shew her to be with child: & so, that he, *eius videlicet rei quæ extra ordinem contigerat ignarus*, that is, ignorant of that matter which had befallen her extraordinarily, might wel haue thought (& without any doubting, with himselfe) *omnino ab aliquo gravidatam esse*, that is, that certainly (*omnino*) shee had by some body beene gortē with child. So it seemeth (even by that which Mr *Beza* doth allow him) that he was nothing doubtful of it: but only that he was therein deceived. Again, being further pressed, that in this case also privat admonitiō should go before, at least amōg friends, & that rather the Church than the Magistrate (as themselves are wont to speak) or some certaine persons should bee first sought vnto, hee both liketh not of that neither, and bringeth in certaine

reasons

Sect. 24.

Ibid.

reasons to be assistant vnto him therein; but yet in the end addeth thus much withal, *Dixi quid hīc mihi videatur. Sui cuiq; iudicium esto, modo ex verbo Dei unusquisq; sapiat.* that is, I haue said what I mee selfe doe thinke of this matter. Let every one iudge as himselfe thinketh good, so that no man goe any further then hee hath the word of God to leade him. Concerning the latter, he first likewise propouideth the question: and then setteth downe his judgement on it. The question is, *An, in foro conscientie, nocentem personam convictam teneatur innocens ablegare; an verò penitentem rursus recipere.* that is, Whether in conscience (before God) the innocent party be bound, quite to put away the offender being once convicted of it; or vpon repentance to receiue him againe. In which point, when first hee hath graunted that many of our great Diuines, both old and new, do little agree among theselues, and, in his iudgement, *illos quidem nimium aduersus nocentem rigidos, istos verò nimium faciles videri,* that is, That one sort of them seemed to him to bee too rigorous to the partie offending, & others to be over easie: yet the he so taketh against those that hee accounteth too easie, that little or nothing he differeth from those that he thought before too rigorous; rather shewing (and that rightly in deed) that the reasons whercon they grounded that austerity of theirs were too weake to beare it, or, that, those reasons did not so conclude; then that hee doth so much dissent from their iudgement therein. For he findeth no more in them (in neither of those whome there he nameth, Ierom, and Bucer) but only the negatiue, that the offender may be retained (which he accounteth so great austerity) and yet himselfe, though in some case he doth qualifie the same, yet in some other hee draweth very neere vnto the.

His

His qualificatiō is, that, he doth not condemn him, *qui uxorem resipiscientem recipiat*, that is, who receiueh his wife vpon her repentance. and againe, *Deinde, ut modo dixi, non nego posse iterum admitti adulteram resipiscientem*, that is, Moreover, as before I said, I doe not deny, but that an adulteresse, if shee repent, may bee admitted againe. And elſwhere he yeeldeth somewhat further also, as on other occasion before I noted. But as in this place hee yeeldeth thus much, so are we to note that he addeth withall that which doth (if it be marked) not a litle impeach that which is granted: and first, though there be repētaunce afterward found, in her that had committed adultery before; but the especially, if the party offending as yet repent not. For though the adulteresse doe repent, yet first hee saith, that *multae aliae iustae causae esse possint, cur adulteram quantumvis resipiscientem, in thorum rursus non admittat, qui tamen alioqui illatam sibi injuriam ex animo condonauit*: that is, that there may be many iust causes, why a man doth not admit his adulterous wife to his bed againe, though shee repent never so much, who yet notwithstanding from his heart forgiveth the iniurie that is done vnto him. Wherein seeing he setteth downe, that there be many *iust causes*, and that a forgiuenes from the heart may be (betwixt man & wife) without bedding together againe; though neither he name any of those many causes, nor sheweth how such forgiuenes may stand with such strangenes too: yet such as are corruptly inclined in those matters, may easily finde matter enough to their contentment, wherewith to feed that humor of theirs, both in the one, and in the other, so rawly left as there they are. Then also hee addeth further, that he is not of minde, that a man is bound in conscience to receiue the adulteresse againe, though shee repent, *sed,*

post

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post modestam Ecclesie adhortationem adhibitam, unumquemque sua conscientia relinquendum, that is, but after some sober exhortation given by the Church, that everie one is to be left to his owne conscience, and that they vsed the selfe-same order in the Church of Geneva: (such as most of the are, that stickle so hard for the liberty that now we speake of) would in such case lightly desire, both in respect of the weaknes of those (to restraine any disorder of theirs) that M. Beza here meaneth by the Church; and especially in respect of that liberty, that when the Church hath said what it will, then may these notwithstanding freely do as themselves thinke good. But before the adulteresse repent, his iudgement is plaine, that the husband in no wise may receiue her againe: little differing from that *rigour* of those others before. For by another occasion speaking of receiuing the offender againe, *ante resipiscentiae testimonium*. that is, before some prooffe of repentance be giuen, he plainly saith that *fieri non potest, quin sceleri faveatur*, that is, that it cannot be done, but that wickednesse must needes be favoured. A sufficient token, that so to receiue an offender againe, hath at all no favour with him: and thereby also a sword giuen into the handes of those that are of that humor, to be long enough avenged on the offender, til they may finde tokens (to their contentment) of true repentance. So haue wee hitherto partly seene, both how weake reasons they haue, and what inconvenient speeches (besides) they haue now and then interlaced among them.

The meaning of the places themselves; & first that such is not the meaning of them as they would haue it.

125 Now to examine the places themselves, for the true sense and meaning of them) for the better vnderstanding of the order ensuing, wee are first to acknowledge, that when we haue gathered the meaning of them, and

with

withall haue made it reasonable plaine, even out of the consideration of the places themiclues, yet is it not vnlike ly, but that it will hardly sinke in the mindes of others, vnlesse some doubts be answered withall, which otherwise will much preuaile with many: and therefore are we first to set downe the meaning of them; then, to consider of those doubts that seeme to be so strong against it. And to finde out the meaning of them, wee are first to set by that which is not: then, afterward to declare that which is. That which is not, being first set by, both the most of the busines will bee dispatched, and the other wil then more plainly appeare: but herein also wee are not barely to set downe the negatiue, that I meane vnto it; but also to adde some such prooffe therevnto as may not well bee wanting from it. The negatiue that I meane vnto it is this, that whatsoever Christ by those wordes meant; yet this, in no wise, seemeth to bee his meaning therein, that thereby hee would giue them liberty, so to divorce themselves the one from the other. That which I thought needfull to ad therevnto, & is not meete to be wanting from it, least so it should stand as a bare negation, resteth on two principall grounds: one, that Christ himselfe should not seeme to bee so favourable vnto it; the other, that the nature of wedlocke doth not well beare it. That Christ himselfe should not seeme to be so favorable vnto it, seemeth to be a cleere case, being well considered, for that we shall finde, that there was never any such allowed before, nor after neither: namely that for adultery men might so part with their wiues, as that therby they were at liberty to mary others. In the new Testamēt we never thought that we had any such liberty but only so far as these words of his would help vs. But

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in the old Testament we thought wee had many; at least those two: the one in Deuteronomie; the other, in Malachie. And therefore so long as those stood in that credit with vs, wee thought the sense of this Exception of Christ might well be, that hee allowed that liberty for adultery to all, that was allowed by Moses and Malachie, for lesser matters, to the Iewes before. And indeed that collection had bene very good, for that both Moses and Malachie also wrote those things not of their owne private motion, but as they were therein directed by Gods holy Spirit, which spake by the Prophets. But now if we finde, that these also doe faile vs, then must wee graunt, that now wee haue none: and so consequently, that, if Christ in this exceptiō hath allowed that liberty vnto vs, it is such a thing as himselfe hath only done, and not one of his Prophets before, nor Apostles since. Which thing (for my part) I thinke would proue a strange assertiō, that Christ in his holynesse should giue further liberty to that natural inclination of ours, then ever any other of his seruants had done, before, or after. And for that matter wee neede go no further, then to themselves, that are for such divorce and marrying againe: and not vnto all them neither, for that fewer wil serue our turne. Mr *Calvine* therefore instead of the rest (and one that in weight may well stād, in matters of iudgmēt, in most of his writings, forming of them) even in his Harmonie on the Gospels (which was, as I noted already, some few yeares before that wee find that he had noted how that place of Deuteronomie was mistake) saith reasonably wel for that matter. *Duobus capitibus* (saith he) *rem totam concludit: ordinem creationis debere esse instar Legis, ut vir conjugalem fidem tota vita colat. Divortia autem esse permissa, non quod licita sint, sed quia*

In Mat. 19, 3.

cum praefecto & indocili populo negotium erat. that is, Hee
 shutteth vp (meaning of Christ) the whole matter in two
 principall points: (one) that the order of creation should
 be instead of a law, that the husband al his life long should
 keepe his promise made in marriage; (the other) that di-
 vorses are suffered, not as though they were lawfull, but
 because they had to doe with a stubborne and vntoward
 people. But yet more fully, on that place it selfe in Deu-
 teronomie. In the beginning of that his Treatise, *Quod*
ad divortia spectat, saith he, *quamvis per indulgentiam con-*
cessum fuerit Iudeis, pronunciat tamen Christus nunquam fu-
isse legitimum, quia prima dei institutioni, ex qua perpetua &
inviolabilis petenda est regula, palam repugnat. that is, Con-
 cerning divorce, although by sufferance it were graunted
 vnto the Iewes, yet Christ pronounceth, that it was never
 allowed vnto them as lawfull, because it doth plainly
 crosse the first ordinance of God, out of which the rule of
 our life is to bee taken, and ever inviolably to bee kept. A-
 gaine, *Et certe scheda vel libellus divortij marito nonnihil*
aspergebat dedecoris, that is, And truely that instrument or
 bill of divorce did not a little discredit the husband. Lastly,
 even in the end, *Ita admoniti fuerunt Israelitae, quamvis im-*
pune uxores rejicerent, licentiam tamen hanc minime coram
Deo excusari. that is, So were the Israelites admonished
 that although they put away their wiues without any
 danger of punishment for it, to bee inflicted on them by
 law, yet that so to haue vsed their libertie, they could in
 no wise excuse vnto God. *Quibus adjici potest*, saith Gual-
 ter, *viros saltem in speciem bonos & honestos, libellos repudij*
non facile dedisse. that is, Wherevnto may bee added, that
 such men as but in shew (or as they would themselves
 bee accounted) were good and honest did not easily

In Harm. in
 lib. Moysi, in
 Praeceptum.

In Marc. 10.

Sect. 25.

giue those bills of divorcement. By which speeches, and their hard (but iust) censure of diuorce, it appeareth, not onely that no man of reasonable honestie did lightly vse the benefit of it: but also that it was not thought a thing lawful neither before God. And may we then thinke, that Christ would grant any such? For if they reply that that diuorce that they vsed was oftentimes for smal matters, & so not this that now is spoken of which is for adultery: true indeed that they vsed it for smal matters oftentimes (but then much rather, by all likelyhoode, for this also, seeing the iudgement of death was so little executed amōg them) but yet that we know of none other besides; & then, that stil it remaineth true which I said before, that if Christ allowed of such a diuorce, himselfe is both the first & the last that hath done it. That the nature of wedlocke doth not wel beare it, it may appeare by that which is said before of the weak reasoning of those, that cōclude the bond of matrimony to be by adulterie broken, which is notwithstanding but the offence of the one part onlie. Concerning which, although Mr *Calvine* tooke not to himselfe the benefit of it, as wee saw before: yet did hee there set downe both a very good rule; and a reason for it besides. The rule is this, *Sanctius est conjugij vinculum, quam ut hominū arbitrio vel potius libidine solvatur*: that is, The bond of Marriage is a more sacred thing, than that it may be dissolved againe, when a man thinketh good, or rather when his lust doth sollicite him vnto it. His reason is, *Tametsi enim mutuo consensu sese coniungunt vir et uxor, Deus tamē nodo indissolubili eos astringit, ne postea liberum sit discedere. Additur tamen exceptio, &c.* that is, for although mā and wife doe ioine themselues together with their owne mutual consent: yet doth God (otherwise) tie thē together with

And for that
the nature of
wedlocke can
not wel beare
it.

Harm in Mat
531.

with such a knot, as may not bee loosed, that afterwarde they may not sunder themselves againe. But yet there is added (saith he) an exception, &c: meaning this that nowe we speake of, and so himselfe doth make little vse of the benefit of that his good observation that he leaveth to vs. For howsoever men & women may of themselves ioine together in holy wedlocke: yet when so they are coupled, the are they also in such sort ioined together by God himselfe, that themselves cannot breake the bond againe, as before is declared. As Mr. *Calvine* againe saith elsewhere, *Pe- nes virum non est, matrimonium facere irritum*: that is, It is not in the husbands power, to make void his matrimony: though himselfe there also, desire no farther advantage of this general rule, but only that marriage by domestical contention bee not dissolved: a small matter in comparison of that, which therevpon hee might iustly require. And therefore the counsel that in another place he giveth, is so much the rather in this case to be regarded, for that we may haue good hope therby, that this Exceptiō of Christ wil rather sort it selfe to some other meaning, than to allow vs so strange a liberty. *Sed videant privati homines*, saith he, *ne sua vitia legum patrociniō regentes, culpam eorum duplicent. Nam hic Dominus oblique Iudaos intreat, quasi ipsis non sufficiat impune suam proteruiam tolerari, nisi Deum iniquitatis suae authorem inscribāt*: that is, But let private men take heed, that while they seek to cover their sinnes vnder the patronage of lawes, they so make not a double fault. For here the Lorde doth covertly reprove the Jewes, as though it were not sufficient for the, to haue their naughtines (therein) to be without punishmēt, vnlesse they made God also to be the author of that iniquity of theirs. As *Iohanan* and his company, being purposed before to go

In 1. Cor. 7.

In Mat. 19, 7.

In Mat. 19, 7.

In Mat. 19, 7.

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In Mat. 19, 7.

In Mat. 19, 7.

In Mat. 19, 7.

In Mat. 19, 7.

Sect. 26.

Num. 22, 10.
19, &c.

Then what
we may
thinke to be
their mea-
ning indeed,
and first of
that in the
fift of Saint
Matthew,

The sense of
the Place
first set down

downe into Egypt, yet would see if they could haue obtained the consent of *Jeremie* so to doe, that so they might seeme for to haue done it, if not with the Lords direction, yet at the least with his good leaue and licence first obtained. As *Balaam* also would faine haue gratified the king of *Moab* in that his bad suit; but yet would first very gladly haue had the Lords allowance therevnto, if by any intreaty he could haue obtained it: but hee, for greedines of the reward; and these, for the loue of their wanton pleasures.

26 What then should be the meaning of these two places that now we speake of, to the end that we may the better finde, because they do something varie, therefore it is needful, that we take them severally. First therefore to begin with that in the fift chapter of *S. Matthews* gospel, there will it bee needeful, first to search out his meaning therein: then to answer one speciall Obiection that properly to this place appertaineth. To search out the meaning of Christ herein, we had neede to consider not onlie how we may safeliest take it: but also, what we haue to induce vs so to do. As touching the former it cannot be denied. (neither is it, that I know of, by any) but that in that notable sermon of Christ on the Mountaine, calling his auditory from the loosenesse of those daies, among other things of that nature, he also tolde them, that whereas it had been said of old, that whosoever did put away his wife, should giue her a bill of divorcement, he now saide vnto the, that whosoever did put away his wife except it be for fornication, should cause her to commit adulterie, & that whosoever married her that was divorced, shoulde commit adultery also. Which words, as it seemeth to me, we may safeliest take in this only sense, that Christ did shewe himselfe thereby, at that time to seeke no more at their hands,

but

but only so far to restraine that liberty of divorcing their wiues, as that they did it but only for adultery: not meaning to shew that hee would allow that liberty vnto the; but only that now he would so far restraine it. that which we haue to induce vs herevnto, I meane, so only to take it, and not to stretch it further, resteth on two principall considerations: one, certaine circumstances of this present place; the other, such like in many other places of the Scripture besides. The circumstances of this present place, are two: one, of the time; the other, of the persons who were his Auditory at this present. The time was shortlie after that first he began to preach, having gathered manie of his disciples, and done such miracles, that now the people began to resort apace vnto him. At which time Christ might wel thinke good, so far to beare with their weakenes and rudenes, as not to require (at that time) of them, the vttermost of that which rightly he might. His Auditory consisted on two sorts: the common multitude; and those his disciples that then were. The comon multitude we may very wel thinke to haue beene so rude then, that wel his wisdom might so farre forbear them. The disciples were of the common sort before, & but lately come to Christ: and so consequently not vnlikely to bee almost as ignorant yet, as they were before; and almost as much wedded vnto such libertie, as in the loosenes of that time had growne vp among them, as the residue for the most part were. His Auditorie therefore consisting of such, it is no absurd thing to conceiue, that hee meant hereby to presse them no farther than so, and not to grant as allowed vnto the, whatsoever now hee thought good, to leaue out of the bounds, that so he named. As, when men are disposed sometime to take in some part of their land that lyeth

eth

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eth towards the land of others, though vpon some special consideration they set not out their sence so far as they might, yet doth not that by and by import, that they abandon the rest, or leaue it to others. For in such case they may so take in that which in such sort they compasse about with their sence, that neuerthelesse they doe not meane to disclaime in the other neither. So in this, Christ may in such sort restraine that loosnesse of theirs, within those bounds that there hee set downe: that neuerthelesse there may bee much without them also, that hee will not allow vnto the. And the rule is good, that wee take good heed, how we doe gather any thing that is not said, out of that which is at any time said vnto vs. For, seeing it pleaseth God, not only to lead those, that seeke vnto him for the same, to all the parts of such holynesse and righteousness as is accepted with him, but sometimes also, in an easier course to deale with the common sort, and so to restraine some things vnto them, that neuerthelesse he leaue them further libertie out of the restraint, then hee can like of that they shall vse: it may very well bee, that Christ did not meane hereby to teach the vttermost perfection in that matter; but onely as Civile Magistrates doe, restraining such things as they hope they may obtaine, winking at others, and altogether passing over the in silence, if they feare that they can do no good therein. And seeing it is graunted of all, that that presupposed law of moyses was political, what letteth but that this of Christ may be so too? Zegedinus, one of those that is for divorce and marrying againe, doth plainly say it, though vnto another ende. *Potest, saith he, & hoc responderi, dictum Christi de repudio, ad legem iudicialem pertinere: quae pro ratione temporis, loci, personarum, seu subditorum mutari, aut saltem*

In loc. com.

prol. pag. 347.

mitigari potest. that is, This also (saith hee) may be answered, that that speech of Christ which is of divorce, belongeth to the Iudiciall law: which, according as the time, place, and persons shall require may be either cleane changed; or, at least, made more easie to beare. And then, if we may take it to appertaine vnto the Iudicialls, and to be politicall (as no doubt it is the fairest, in that sense that before I noted, neither can there be any thing of moment, I am fully perswaded, brought against it) first Musculus, another of them, plainly saith, *Civiles leges multa non bona permittunt, propter subditorum malitiam, ne status publicus perturbetur: againe, nec omnia mala vetant, nec omnia bona precipiunt.* that is, Civill lawes allow of many things that are not good, because of the vntowardnesse of the people, least otherwise that publike estate should bee hurt thereby. And those lawes doe neither forbid all things that are ill, nor giue in charge all things that are good. Master Calvine also, another of them, *Perperam, saith hee, sumebant pie sancteque vivendi regulam ex iure civili. Nam leges politica interdum ad hominum mores flectuntur: Deus vero, legem spiritualem ferendo, non respexit quid homines possint, sed quid debeant.* that is, They did it to take the rule of holy and godly life out of the Civill law (meaning the Iudicialls of Moses.) For politicall lawes are sometimes framed to the waies or maners of men: but God in giuing forth the spirituall law, did not respect what men are able to doe, but what men ought to doe. Againe, *Magistratus multa quae non probabit, cogetur tamen ferre: quia nunquam ita praeclare agitur cum genere humano ut cohibeantur omnia vitia. Est quidem hoc optandum, ut nullum vitium toleretur: sed videndum quid fieri possit.* that is, The Magistrate shall be compelled to suffer many things which he cannot allow: because it wil never goe so well

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with mankind that all sin may bee restrained. It is indeed to be wished, that no sinne at all were suffered among vs: but we must consider, what we may bee able to doe. And therefore as Musculus saith againe, of that praesupposed Law of Moses, that Christ did teach, that it was not giuen to any such end, *ut quod in se illicitum, coram Deo reddat licitum*, that is, To make that lawfull before God, that is vnlawfull in it selfe: even so, not onely wee may safely take this exception of Christ; but also it will soone be found, as I doe take it, to bee the most approued sense that any way else we are able to finde, if indifferently we consider thereof as we ought to doe. In many other such like places of Scripture besides, we may so plainly find, such sparing of the rude and ignorant people to be of God, as that it need not to be thought any derogation to the glorie of Christ, if so be wee take that onely to bee his meaning therein: and first, in the old Testament; then, in the new.

In the old Testament wee finde suchlike dealing in two speciall Prophets: Moses the one; and Elizeus, or Elisha the other. Moses, so soone as ever he found, that God had put on him some speciall glorie, that the people were not able to behold his countenance for the brightnesse or shining of it, by and by put a vail on his face while he was with the people: which notwithstanding hee did put off againe, when hee talked with God. Afterward, when hee gaue them lawes, and was not ignorant of their great loosnesse in many of their waies, and namely in taking more wiues then one, and in divorcing such as they had, albeit he knew them wel enough, and spake of them too: yet did hee make no law against them, nor so much as reprove them neither. Elizeus also, when his new convert Naaman did seeke to haue the Prophets approbation,

Exod. 34: 29-35.

Deut. 21, 15-24, 1.

2 King. 5: 17-19.

How, of 2000 men liue it pleased: well, 2000 men of it than
thaw

that he might (in one case) a little halt betwixt God and Baal (at least, as it seemeth that his wordes did therevnto tend) the Prophet did nothing at all reprove him, but after the vsuall maner did bid him farewell. In the new Testament we haue the like, not only in diuers of his seruaunts: but also, in the Master himselfe. In his seruants wee haue such things, both in diuers of them severally: and in the whole body of the chiefe of them all, iointly together. Of those that are severall, first we haue that faithfull one that came before him, vtterly denying (for the peoples weaknesse, whom hee found to bee ready to haue him in over great admiration) that hee was Elias: which notwithstanding in two severall places Christ doth as plainly ascribe vnto him. An other that followed, being in hand to speak of Melchisedek, and then remembring that such things as were to be spoken of him, were many of them hard to be vttered, and withall that those to whom hee should vtter them, were of a dul & hard vnderstanding, doth suddainly breake off the course of his speech, even in respect of that weaknes of theirs because yet they were not capable of so high points of doctrine as those. In the whole body of the chiefe of them all iointly together (I meane the Apostles and many other of the faithfull assembled together, in a Councell at Ierusalem, about the schisme that a little before sprang vp at Antioche) we haue an example of wonderfull bearing with the peoples weaknesse, prescribing in a manner nothing else vnto them, but onely that which tended therevnto, and that not only in forbidding vnto them, but such meates as had before beene offered to idols (which notwithstanding may well be eaten but when offense thereat may be taken) and therewithall both blood and strangled (both which were but ceremoniall,

Ioh. 1. 37.

Mat. 11. 14. &
17. 10. 12.

Heb. 5. 1. 14.

A. 2. 15. 28. 29

1. Cor. 8. 4. 9

Sect. 20.

niall, & by the death of Christ, with the rest of that kinde
 cried down alreadie, though the time seru'd not the by &
 by to proceed for the funeral of the, or to haue their dead
 carcases vnto the graue:) but also, in setting downe for-
 nication (by the reason of the great loosenes of the peo-
 ple therein) yet in like degree with those others, which not-
 withstanding is a great deale more odious by manie de-
 grees. So much were they led by the Spirit of God to
 beare with the weaknes of the people then : so carefully
 they covered the brightnes of their faces, least it shoulde
 dazle (if not cleane put out) the weake sighted eies of the
 ignorant people. In the Master of al, how oft do we finde,
 that hee forbiddeth, not only ^a others, but his ^b disciples
 too, and the ^c best of the al, not to be so much as acknown
 of diuers things of speeial importance, vntil they shoulde
 bee farther strengthened therein? not that those things
 might not be by them declared, but that hee woulde haue
 them somewhat stroger, before they shoulde meddle with
 them. How plainly doth himselfe likewise tel them, that
 hee had many things to speake vnto them, But that they
 were not able then to beare the? & for that cause (as then)
 he did not trouble the any farther with the. How quietlie
 also doth hee put vp that dogged waywardnes of the el-
 der brother, only for that his father was so good to the
 younger, when he so little deserved the same, that sweete
 (but foolish) conceipt of him, that thought he had so ful-
 ly kept al those commandements of God: that frowarde
 wragling of those, that though they had their ful due, yet
 were they not well, only because others had as much as
 they: that vnseasonable & strage ambitio of those two A-
 postles, and, the repining of the rest against the? Al which,
 though of diuers kindes, yet eue by it also, do so much the
 more

^a Mat. 44. 7.

36.

^b Mat. 16. 20.^c Mat. 17. 9.

Ioh. 16. 12.

Luk. 15. 18, 21.

Luk. 18. 21, 22.

Mat. 20. 12, 16.

Mat. 10. 35.

45.

more plainly declare, that the infirmity or weakenes of man is alwaies almost very favourably regarded, not only of good men, but also of God. That one obiection that properly to this place appertaineth, is, that in this place Christ was in hand to commend vnto them a more strict obseruation of the lawes of God, than the better sort of them (in common account) had inured themselues vnto, or thought they needed to haue done: and then, that it should seeme thereby, that taking the Exception in that sense, that they would haue it in, and themselues vsing that liberty of it; they shoulde therein doe nothing against the rule of godlines, no, not only when it is but easily or with great liberty delivered vnto vs, but when it is in strictest manner exacted of vs. Howbeit whosoever advisedly shal consider of the place it selfe, may plainly see that it doth not afford any such argument, because we may see, that it was not the meaning of Christ to teach the vttermost of perfection in those matters that he spake of, but onlie to cal them on much farther therein, than they thought anie need to require, or at least that they in their waies regarded. This may sufficiently appeare, in those other examples, that there he bringeth: whereof some there be that goe before this that now we speake of; & others, that follow. Those that goe before, are two: one, Thou shalt not kil, the other thou shalt not commit adultery. In both which hee discovereth much more than they in that loose time regarded, but nothing so much as those lawes require of vs. For in the former hee speaketh but of certaine other branches that are likewise forbidden; and nothing at all of any of those that are required, which notwithstanding are both many, and of special importance besides: and in the latter he speaketh but of one branch only, and omitteth

Then a certaine obiection answered.

Mat. 5. 27, 28

Sect. 26.

Mat. 5. 33.

Mat. 5. 38.

Mat. 5. 43.

Mat. 6. 1.

Mat. 6. 16.

many others, as farre from the common loosenes of me,
 as that which he nameth (and some of them further) and
 all those that are required. Those that follow are some of
 them in this fift chapter: and some in the next. In this
 fift Chapter there are three: one, of a severall kinde by
 it selfe; the other two, being both in a manner, of one
 kinde. That which is of a severall kinde by it selfe is that
 of Not swearing: wherein hee forbiddeth divers other
 branches also that are forbidden; but yet leaveth many
 others of those, and all on the other side that are requi-
 red, vntouched likewise. In those two others that are
 in a manner of one kinde, hee doth but reforme their bad
 misconstruing of two special places: one, that because Ma-
 gistrates were appointed & allowed to inflict the like pu-
 nishment on the offender, as hee in the way of private
 wrath or revenge had inflicted on an other, as eie for eie,
 and tooth for tooth, therevpon they gathered, that so far
 they might in their private quarrels prosecute their own
 revēging desire, or at least that they might lawfully craue
 so much of the Magistrate, though but to satisfie their
 owne desire; the other (not altogether vnlike to the maine
 point that now we speak of) that because the letter of the
 law did require their loue but vnto their *neighbours*, they
 thought therefore that they were allowed to hate their
 enemies. Those that follow in the next chapter, are other
 three likewise: one of them respecting some part of our
 duty towards me, which is doing of our almes; the others
 some part of our duty to God, which are Praier, and Fa-
 sting. In the first and last of which both he rebuketh the o-
 stentation of it, and teacheth them how to behaue them-
 selues for that matter: and in the middlemost he rebuketh
 but it againe, and vaine babling withal; and then teacheth
 them,

them, both how to pray, and to remember, that so oft as they seeke forgiveness of God, they also forgive such trespasses as others do vnto them. Thā the which it is sufficiently known vnto al, that there be in every of them many things else, that the rule of godlines, as it is set downe in the word of God, doth also require: and then, there is nothing in this to the contrary, but that, although Christ call them here to greater godlines, yet may such as put awaie their wiues and marrie againe (though it were for adulterie) account that they may well enough bee great sinners therein.

27 In that other of the 19 of *Matthew* we are to go thus farre also, both to search out the sense and meaning of those words of his there: and then to see, what reasons we haue for to induce vs so to take them. As touching the sense of those his words, it seemeth to be, not so much to reach any point of doctrine, as to glude that subtle practice of the aduersarie, and withal to stop their mouths. The reasons that we haue to induce vs so to take it, are diuers: first because the authority, or iudgement of others doth so direct vs; then also, for that the circumstances of the Text it selfe doe altogether seeme to leane that way also. Concerning the iudgment of others, Saint Ierome is reasonable plaine therein, *Igitur Dominus, saith hee, sic responsione temperat, vt discipulam eorum transeat: Scripturam sanctam adducens in testimonium, & naturalem legem primamq; Dei sententiam secunda opponens: quia non voluntate Dei, sed peccantium necessitate concessa est.* that is, Therefore the Lord doth so temper his answer, as lest may serue to escape the pitfall that they made for him: bringing in the holy Scripture, and the law of nature to confirm the same: and setting the first sentence of God against the second.

The sense of that other, in the nineteenth of *Matthew*.

at

The iudgment of others, as in *Matthew* 19. 11. 12.

Sec. 37.

second, which it pleased God to afford them, yet not so much standing with his owne good liking, as yeelding therein vnto the necessitie of those that are so carried away with sin. VWherein that he speaketh of a second sentence of God, against which he saith that Christ opposeth the first, it seemeth thereby that as yet hee had not espyed that the Originall was not so: which notwithstanding if he had better regarded, he might soone haue found; and then being in a good way already, in that hee had noted that Christs purpose was to avoid their deceits, he might haue giuen a fuller answer, if better hee had followed on that course whereinto hee was so farre entred. Musculus likewise *Quoniam autem querebant nō discendi, sed tentandi gratia &c. videamus quomodo respondeat: hoc est, quomodo sapientia Dei laqueos tentatorum Phariseorum evadat.* that is, Seeing they came not to learne, but to tempt him, let vs see how hee doth answer them: that is, how the wisdom of God avoideth the snares of the tempting Pharises. And so, in effect, M^r Calvine too, though in fewer words. *Christus, saith he, apta responsione falsam invidiam diluit:* that is, Christ, by a fit answer wipeth away that evil opinion, that they by their cunning would gladly haue brought to passe to haue conceiued of him. The circumstances of the Text that seeme to leane that way also, are of two sorts: one, that many besides haue noted; & two others, that I haue not yet found to be noted by any. That which many haue noted, is, that the Pharises indeed, did not at this time come to learne any doctrine of him concerning the matter that they the did propound vnto him: but only to tempt him, and to entangle him to some inconvenience, as to disgrace him vnto the people; or to accuse him vnto the Elders. And then, comming in such sort

In Mat. 19. p. 502.

In Mat. 19. 7.

The circumstances of the Text it selfe.

fort vnto him, we haue therin cause enough to take heed that wee doe not account, that in such case needs it must be that Christ would giue forth any part of that which should bee an ordinarie doctrine in the Church: but rather, that hee would frame them some such answere, as might be meetest for them, to requite them in their iniquitie. Which that we may the better conceiue, and resolve our selues accordingly therein, it shall be good a little to consider what wee haue in the Scripture to induce vs therevnto, either of testimonies, that witnes the same: or else of examples, that so God hath dealt with others already. For testimonie hereof it may suffice that Christ is so plainly said to be a Stone to stūble at, even to both the houses of Israel, and that to the ruine and overthrow of so many as do not belecue, or rest not in the word that he hath spoken: and that the Prophet is as plainly willed to infatuate the hearts of the people, to stop vp their ears and to shut vp their eies; least they should see with their eies, and heare with their eares, and vnderstand with their hearts, and should be converted & he should heale them. Examples are many: but fewe will serue. In the old Testament it is cleere, that when, even the Elders came to the Prophet, not in so good manner as they should, they were not vouchsafed any good answere: and when those Captaines with their Fifties in like sort came vnto another, they receiued an heavier iudgement, though so they were sent by the King their Master. In the new Testament we haue some likewise, that are of such severity, in matter somewhat further off: and some of like severity too, in matters that are of the same kinde that now wee are in. In matters somewhat further off, not only Christ did vse to speake in Parables vnto the Iewes, and himselfe gaue

1/2-8:13, 15,

Luc. 2, 31,

Rom. 9, 32, 33

1 Pet. 2:8, 9,

Hla. 6, 10,

Ezech. 14, 15,

8,

2 Kings. 1, 9,

12,

Mat. 13, 12,

Sect. 27.

Act. 5. 1, 10.

Mat. 22. 15, 22

Ioh. 8. 3. 11.

in the reason, because it was not given vnto the, to know those things, that did appertaine to the kingdome of heauen: but even the Apostle S. Peter also strooke downe with suddaine death, both a man and his wife, that came with a contribution vnto them, though not in such sort as they ought to haue done. In matters that are of the same kind that now we speake off, we shall need (I trust) no more, but only to note, how Christ himselfe directed his answers in such like cases; and namely, when either they tempted him: or whenas he questioning with them, they would not acknowledge the truth when they saw it. Of their tempting of him, we need go no further, but only to these two: the one, of Tribute, the other, of the woman taken in adultery. In that of tribute it is plaine, that they went about to entangle him in his speech, as himself also did tell them, and reprove them for it. Wherevpon in such sort he framed his speech, as was sufficient, both to cleere himselfe, and to put them to silence: but yet not so full, for the doctrine therevnto appertaining. For though it be most true, that there he deliuereth that wee must giue vnto Cæsar, the things that are Cæsars, and vnto God the things that are Gods: yet both the doctrine is but generall, not shewing, whether that which they spake of be due or not; and that which might seeme to be brought in by him to conclude it, served rather to stop their mouthes then that they and others should thence haue gathered, that the Prince hauing set his stāp on the coine, it is as thence forward made his so absolutely thereby, that none others can haue any property in it. In that other, of the woman taken in adulterie, as there also they came to tempt him, so they were accordingly served: first vouchsafing them no answer at all, but otherwile so imploy.

ploying himselfe, as if he would by his doings teach the, that it were as good to doe nothing, as to giue any good answer to them that came so vnto him; and, when that would not serue, but that still they vrged him to haue his answer (because they thought they had him now on their hip) then giving such an answer vnto them as choked the all, and made them to bee glad to get them away. When he likewise did on a time so question with them, that they could not but see the truth, & yet when they saw it, would not acknowledge it (which was to shew by what authoritie he did those things among them; which they pretended they would faine know of him) as then they plainly bewraied themselues that they came to entangle him, and not to learn of him; so he likewise dealt accordingly with them, confounding them first in their owne devise, & the denying to giue vnto them any further answer. Those other two that I haue not yet found to be noted by others, do the one of them appertaine to this present time: the other, to a time that followed a little after. That which belongeth to this present time, is to note, in what sense the Disciples tooke it. For if the disciples then did not so vnderstand Christ, as though he had by those wordes of his allowed the liberty of putting away our wiues for adulterie, and to marry againe: then, of the two, I thinke that we also may safeliest take it, that hee graunted, no such allowance indeede. And that they did not so take it, but rather, that they might not part with their wiues in that case neither, and much lesse marrie againe, it may seeme by this, that they accounted theselues to be so much streightned thereby, that therevpon they plainly said, that if the matter were so betwixt man and wife, then were it good not to marrie at al. For presupposing that they were none of

Mat. 21, 23-27

Mat. 19, 10

Mat. 19, 10

Sect. 27.

the loofest sort for such matters, but that a reasonable liberty might content them, it wil so fal out, that if they had takē those words of Christ in that sence that these would haue them, they would then never haue accounted themselves to be straightned thereby. For such as were of anie reasonable moderation, even among the prophaner sort, did yet account it liberty enough to be allowed, for adulterie to put away their wiues, and to marry againe: & we may wel perswade our selues, that the Apostles were the also much better than those: and therefore that if they had so vnderstoode Christ, they would not then haue conceived such hardnesse as they did in the married estate. And then, if the Apostles did so take the words of Christ, as altogether forbidding diuorce and marrying againe, yea though it were for adultery also, even that only consideration may wel weigh with vs to conceiue better liking of that sence likewise, if it shoulde not over-rule vs rather. That which belongeth to the time that followed a little after, is, that when the Disciples, by occasiō as it seemeth, of this his speech vnto the Pharises, did aske him againe, concerning this matter, he then left out (vnto them) the Exception that he had vsed before, & plainly tolde them, that whosoever should put away his wife, and marrie another (not vsing the Exception of adulterie to thesē now, as he did to the Pharises before) he shoulde commit adultery against her, and so shoulde the wife likewise, if shee should deale so with her husband. Wherein I note a manifest difference, in those to whom he hath spokē in these two places: the former being the tempting Pharises; the others being his owne Disciples, and inquiring (as it seemeth, in that they were so troubled before) for their own better learning. Of which differēce we need not to doubt,

but

but that Christ might wel take occasion, so far to varie in his speeches vnto them, as in those two places we see that he doth. And if now the question should be, out of whether of these two answers of Christ, it were safest for vs to take our direction in all such cases, mee thinke, there should be no question of it, but that this his answer vnto his disciples apart by themselves, should be more likely to giue the sense to the other, than thence to borrow a sense for it selfe.

28. The doubts that I speake of, that seeme to bee strong against the sense of these two places that nowe I haue gathered, are especially two: one, the Exception that is vsed in both; the other, that the apostle, allowing either partie in some cases to marry againe before the death of the other, may seeme much rather to allow of this. Concerning the Exception that is vsed in both, we are to note that first if we take it in that sense which I haue already giuen it, then do themselves perceiue, that it doth helpe the nothing at al: but then, that they on the other side may probably challenge, to haue such a sense allowed vnto it, as wil somewhat favor them herein. If we take it in that sense which I haue already giuen it, theselves do then willingly yeeld that it helpeth them nothing at al, for that so in the former he doth but beare with the rudenes or weaknes of them: & in the latter, vouchsafeth to giue them no better answer, because then they came not to learne, but only to tempt him, or to disgrace him vnto the people. And then, allowing this sense to rest vpon it, wee haue no hardnesse but only in this, how to reconcile that kinde of speech to stande with the sense that nowe wee speake of. Which in my minde may easily be done, if we note, that the Scripture according to the afore said rule of S. Basile,

Certaine doubts answered, namely of the Exception that it will not help them, in that sense that we doe take it in shewed by diuers other places.

Señ. 28.

In the olde
Testament.

Deut. 17. 17.

Deut. 23. 19.

Ib. 30.

In Mat. 19.

when it speaketh of two things, as some way opposite the one to the other, doth oftentimes so deny the one of the, that neverthelesse it doth not thereby grant vs the other: as many Examples doe witnes vnto vs, both in the Olde Testament, and in the New. In the Olde Testament (among others) we haue one that concerneth Princes only: and more that concerne all others generally. That which concerneth Princes onely, is, that their King is so plainly forbidden to take vnto him manie wiues, and to gather him much silver and golde. Where it is plaine, that both those are so forbidden to Princes, that they are not allowed to others. Of those that concerne all others generally, I haue noted a couple: one, that forbiddeth vsurie; the other, that forbiddeth to marry two sisters. That which forbiddeth vsurie, is, that they were so plainly forbidden to lende their mony on vsurie to their brethren: wherevpon it had been an hard collectiō thence to haue gathered, that to straungers they might, had they not had the same liberty in plaine tearmes allowed vnto them, as we see that it was in the next verse after; but yet in such sort (wee are to gather) as otherwise was not against the law of God. For there are wee thus to distinguish, that in that place which concerneth their brethren, they were vtterly forbidden to take any vsury; or any manner of advantage whatsoever: and in that other that concerneth strangers, that they were forbidden but only that which was vnlawfull or ill: & not such as was not against the rule of Charity. The like whereof wee haue before, Deut. 15. of which *Lyranius* noteth wel, saying, *Concessit dare ad usuram extraneis, ne fratres gravarent. Sicut ergo, qui non dat ad usuram nec extraneo, nec propinquo, facit magis secundum intentionem Moysi: ita ille qui docet uxorem non dimittit.*

mittendam, non dicit contra ejus intentionem, sed magis supplet & perficit illius legis datæ imperfectionem. That is, Hee granted them liberty to lend vpon vsury vnto straungers, that they should not be grievous vnto their brethren. As therefore he that lendeth not forth his money to any vsurie at all, neither to the stranger, nor to his neighbor, doth better follow the intention or minde of *Moses*: so hee that teacheth, that a man may not (for any case) put awaie his wife, he speaketh not contrary to his meaning, but rather accomplisheth & supplieth the imperfection of that law given. (Not seeing then, that *Moses* had in plaine words allowed that vnto them, which now we see, he did not, as before is declared.) But in this liberty that is so plainly giuen vnto them, of lending on vsury vnto strangers, wee may well take good instruction vnto the matter that wee haue in hand. For as they, though they had that liberty graunted vnto the, yet because it was otherwise so plainly forbidden, should therefore in that case diligently inquire, what kinde of vsurie it was that was so farre allowed vnto them, or in what measure it was permitted; and not (at adventure) rush at any: even so in this likewise, seeing divorce is a thing so contrary to all Scripture generally, if in this case we thinke that it is permitted, yet were it the duty of al that would take to themselves that liberty, first to make diligent inquierie, how farre that liberty of theirs might be extended, not crossing any other word of God thereby; and not so resolutely to determine, that supposing such a liberty is graunted, they therevpon conclude withal, that there is nothing against the course that they haue taken, to obtaine to themselves the inioying of it. In that which forbiddeth the marriage of two sisters whe are not only to consider of the place it selfe but also

of

Sect. 28.

Tremel Jun.

Ib. 16.

M. Bezaes
iudgement
herein, worth
the marking.

of Mr Bezaes iudgement thereon. The place it selfe is, that every one is forbidden, during his wiues life, to marry her sister also : a place so taken by the generall assent of all, that although it seeme to forbid it, but only during his wiues life ; yet that no man thereon may gather, that it is allowed for any man so to marry, after his wiues death neither. But now if we looke somewhat further into it, we may finde that (in the iudgement of some, and those none of the meanest) the sister that there is spoken of, is not meant of a naturall sister (that being in effect, and by the like forbidden before) but of any other woman ; as, when a man hath one wife already, yet to take another vnto her: as indeed those words in the Hebrew it selfe are divers times elsewhere so vsed (as they also haue noted) and divers other good reasons there are why rather wee should so take them. And then whereas the Turkes (and such other libertines of that kind) are wont to reason, that to haue more wines then one, is no where forbidden by the word of God in the old Testament (and the new they doe not much regard) and so take vnto themselues the freer liberty that way to offend, if now the iudgement of these (being more then any of the rest that I knowe of, haue found) may be of force to weaken that resolute negation of theirs (not indeed gainsaid much by others here tofore:) what letteth, but that these also, if the exception that now wee speake of, may haue in the iudgement of some of the learned another sense, may well doubt of so resolute conclusion, as they make therevpon, and so consequently not thinke their libertie so cleere now, as they haue presumed before that it was? Mr Bezaes iudgement on this place I haue rather noted, for that if he would afford vs, but the same indifferencie or measure in the mat-

ter of divorce and marrying againe (that now wee speake of) as he doth in this, the matter in question would soone grow to an end betwixt vs. For himselfe doth call this kinde of speech an exception also, and giveth so good an answer vnto it, as our selues would desire no better for that other Exception in the speech of Christ that now wee speake of. For moving the question, *Cur igitur inquires*, saith he, *in alia lege additur exceptio, illa vivente, nisi ut intelligamus, una demum sorore mortua, alteram ducere fas esse.* that is, Why then (will you say) saith he, in that other law is this Exception added, *while shee liveth*, but that wee may so take it, that when one sister is dead, then may we lawfully marry another, his answer is this: *Respondet Basilus eadem illa epistola, non temerè ex eo quod scriptum est, colligendum esse quod scriptum non est.* that is, Basil answereth in the same epistle (he meaneth in his Epistle *ad Diodorum* which he cited a little before) that out of that which is written wee must take heed, how wee gather any thing that is not written. And then himselfe also addeth his owne approbation therevnto saying, *Et sanè ita est quoties saltem id quod consequi videtur, vel absurdum est, vel alio loco, siue expresse siue tacite damnatum.* that is, And truly so it is, so oft at least, as that which seemeth to follow thereon, is either absurd, or, by some other place besides, either expresse, or by implication condemned. Examples whereof he bringeth a couple: one, out of the last; another out of the first Chapters of the Gospell by S. Matthew. *Promittit Dominus*, saith he, *se Ecclesie sue affuturum, quamdiu seculum hoc perstiterit: an inde colliges, vel desinente mundo abfuturum illum à suis, vel illud frustra adiectum fuisse? Non cognovit Iosephus Mariam quamdiu pregnant fuit: an ideo efficitur, vel illam postea fuisse à viro cognitam, vel illud frustra*

De repud. &
divort. p. 79.
& 80.

Mat. 23. 301

Mat. 1. 25.

Sect. 28.

strà expreſſum fuiſſe ab Evangelista? that is, The Lord promiſeth that hee will bee with his Church ſo longe as the world ſtandeth: may a man gather thereon, either, that when the world ſhall haue an end, he wil theſe abſent himſelfe from them; or elſe, that that (limitation) was added in vaine? Ioseph had no carnall knowledge of the bleſſed Virgin, ſo long as ſhee was with child; doth it therefore follow, that either afterward hee had ſuch knowledge of her; or elſe, that that (limitation) was to no purpoſe ſet downe by the Evangelist? In which iudgement of his we haue diuers things (me thinke) right worthy the marking: ſome directly appertaining vnto the matter wee haue in hand; and one other beſides, out of which wee may take ſome benefit alſo to that purpoſe, though it ly ſo farre off from the ſame, that few there bee that would ſo apply it. Thoſe that doe directly appertaine vnto the matter that we haue in hand, are, the rule that he bringeth out of Baſil: and his owne approbation of it. The rule that hee bringeth out of Baſil is ſuch, as that if hee will afford it in this cauſe ſo far vnto vs, as in that other he taketh it vnto himſelfe, we may account our ſelues ſo ſenſed with it, for the matter that now we ſpeake of, as that neither himſelf, nor any other ſhall eaſily bee able to bring any thing of force againſt vs. In thoſe words of Chriſt let them take heed, how they gather out of that which is ſpoken, that which is not, and then I truſt that in the matter our contention alſo will ſoone be ended. That which is ſpoken, is plaine, that no man may put away his wife, vnleſſe it bee for adultery: but that for adultery a man may doe it, though they thinke that to be plainely implied; yet vnleſſe that alſo, be either there, or ſomewhere elſe plainely ſaid, let it then ſtand as not ſaid as yet, and then let them with-
all

all take heed, how they gather it out of the other. In his approbation of it we see that he doth not onely in plaine tearmes approue it: but also doth adde some examples vnto it. If we goe no further but only to the words of his approbation, we may see that as he alloweth of the rule generally: so doth hee account it more strongly to hold whēsoever it is either absurd, or against some other Scripture, that should be gathered therevpon. If it be good generally, even that only, I trust, will yeeld as much as wee shall need. If it be stronger in those two cases, then howsoever it may be, that very few can account it a thing *absurd*, that for adultery a man should be allowed to put away his wife and to marry another: yet if they will put it to the triall of other Scripture, I trust themselves wil not deny, but that they haue none other for it; and that wee doe charge them, there is much against it. His examples doe altogether stand with vs, and are very strong against them, to bring them vnto a better iudgemēt in those matters: and, howsoever the former of them is without exception (for the matter that now I am to deliver) yet for the other, I thinke they may not deny, but that to let goe the limitation in the latter of them, were not of so hard a consequence in the Church of God, as so farre to enlarge the Exception that now wee speake of. That one thing that lieth somewhat farther off, and yet is such, as out of which we may take some benefit also to this that I speake of, is, that notwithstanding M. Beza did (by this occasion) so specially looke into this place that now wee are in (I meane *Lev. 18:18.*) yet did hee never finde that, which before I shewed Tremellius and Iunins both, to haue noted thereon. Of set purpose he disputeth it to and fro: and vseth the authorities of S. Basil, Rabbie Solomon, S. Au-

Sect. 28.

gustine, and Mr Calvin therein; and conferreth it with some other Scriptures besides. And yet (being a good linguist himselfe) he looked not so far into the proprietie & vse of the tongue for that point, but that hee let a good part of his matter to slip him therein, which otherwise he would haue bin loath to haue missed. Wherein although hee may well bee excused, for that all generally (for any thing that yet I haue found to the contrary) were wont so to take it, and to make no question of it: yet thus much may we gather, to the purpose that now we haue in hand that if wee find, that in this God hath imparted to these a greater light in the Original, then to many others besides: then may it be so in that other place also that before wee had out of Deuteronomie, whereon was laid a great part of the foundation it selfe of that opinion. But if these had published that iudgement of theirs before (as it may seem that they had, or thereabout; for they published the second part of the Bible but 3. yeeres after this book of Mr Bezaes) then was the oversight therein so much the more vnhappy, for that then there was come abroad good meanes to amend it. In the new Testament we may bee the shorter, because that M. Beza himselfe hath alleaged a couple of good importance to that end if they bee considered, and we will lay but two more vnto them: one, of another speech of Christ; the other, out of the Apostle S. Paul. That other of Christ, is, of not comming thence, vntil the vttermost farthing be paid. That of the Apostles is, that a Bishop must be the husband of one wife. In both which we may see, that something is in such sort to be denied, as that the opposite is not to be accounted thereby to be grated: in the former, that the coming out thence is not so denied til then, that it may be thought to bee affirmed, that

In the new
Testament.Mat. 5. 26.
1. Tim. 3. 2.

that the it should be; in the latter, that it is not so denied to a Bishop, to haue mo wiues the one, that it is allowed to others to haue. So in this it may be likewise, that it is not so denied to any to put away their wiues, vnles it be for adulterie, that thereby it is granted vnto them that so they may; but that herein also he doth so deny the one, that yet he granteth not the other, especially when as no where else we haue any Scripture for it, but much, that (even the- selues do grant) hath a great shew to be against it; and we nothing doubt, but that it is against it in deed.

29 If they will challenge the benefit of the other, than we are againe to note, both how farre it is, that the Exception that nowe wee speake of may stretch to their helpe: and then, what themselves must yeeld too withal, if so they wil take it. How far it is that it may stretch to their helpe, may soone be said: namely, no more but only this, that in some case it were not ill, or at least might be tolerated, that for adulterie the party innocent might breake of and marry againe. For though he meant in that Excepti- on to grant that libertie, yet his words doe not drine vs, that we should so take it generally: but wil hold the selues contented or answered, if some cases there bee, in which for adulterie it may be permitted. For though the residue of the proposition be a general Negative; yet the Excepti- on is neither general, nor negative neither; but particular, and affirmatiue too. And the the rule is good, that is vsed by diuers of the learned, for the better quieting and esta- blishing of mens mindes in the truth of the doctrine, that concerneth things indifferent: namely, that howsoever, whe the general proposition is Prohibitorie or forbidding, all the *species* or the speciall branches of it, are also forbid- den, yet if generally it be commanded or required, the the

How little
the Excepti-
on doth help
them, in that
sense that
they would
haue it.

A rule to
iudge of
things vnlaw-
full, and indis-
ferent.

Of divorce for adulterie,

Sect. 29.

several branches thereof (at least many of them) may bee indifferent, and are according to the circumstances therevnto appertaining, to be adiudged. As in the Commaundements, they all forbid, but only two of them, the fourth and the fift. In those eight therefore that do forbid, there is no special branch to them appertaining that can be indifferent, but is cleere vnlawful (no braunch I meane, of that part of it that is Prohibitorie: for every of them doth imply the commanding part withal; as those two likewise that first command, do also imply that which forbiddeth;) as also in those two that Commaund there be many branches which may be indifferent, till some such circumstances shalbe added therevnto, as shall cast the ballance the one way or other. For examples sake, the first commandement forbidding vs to haue any other to be our God saue the Lord alone, leaveth not one of them to stande indifferent (in such respect vnto vs) but altogether, forbidden vnto vs: but the fourth, that requireth to keepe holy the Sabbath day, leaveth divers of those braunches that belonge thervnto meerely indifferent, vntil, by farther order taken, it bee more specially set downe, in what sort it must bee kept holy. And so consequently, so long as no farther order was specially taken, a mā that were careful not to transgresse against the same, had no way at al, but to make farther inquierie, in what manner he should keepe it holy: & then to follow the rule prescribed. And so in this, seeing there is nothing said but generally, that for adultery a mā may put away his wife and marrie againe (for that sense now for the time, for reasonings sake, wee are to admit) therefore whosoever would bee loath to offend therein, he had neede more specially to inquire, in what case, & in what manner, it might be done for adultery also. For hee that

that saith, that for it, it may be done, doth not say that in all cases, and howsoever it may be done, so that once the occasion of adultery be therevnto given: but as he granteth that in such case there is a farther libertie than in many others, so doth he likewise by the same though closely, yet necessarily require, that if himselfe do not more speciallie declare what it is, then that there be farther inquirie after it. And then in this case, though the meaning of Christ in that Exception had beene, not to deny, but that for adultery such liberty might bee allowed, yet might no man in his owne private case presume any farther thereon, than elsewhere in the word of God, he should finde the same warranted vnto him: & there is none of those that follow it (if themselves be honest, and haue any iudgement) but that do adde such limitation & cōditions vnto it (as partly we saw before) as we may safely gather thereby, that they do not account it allowed indifferently, or, at large vnto all. So that, though this sense were allowed vnto them, so farre as the words themselves should require: yet so also were it like to fall out, that very few of them should be able, to shrowde themselves vnder any iust protection of them.

30 Which that they may the better perceauē, nowe are they to be put in minde of the other; namely, what it is wherevnto themselves are to yeeld, if they would haue any benefit of this latter sense of the Exception. And that may they plainly perceiue to require these two things: first, that they bee not too hasty to take vnto themselves that libertie, but that seriouſlie they advise them selues vvhat they doe therein; and, when they are advised of it, how far then they are to forbear it. That they bee not then to hastie to take that liberty, but that well they advise:

That they ought to bee well advised herein.

Sect. 30.

What exam-
ples they
may haue, so
to doe,

1. Sam. 3. 12.

1b. 16.

advise themselves what they doe therein, as themselves may see that they ought so to doe: so haue they good provocation vnto it. Themselues may see that they ought so to doe, even by the nature of the thing that they haue in hand. For being so doubtfull as it is, being by many of the learned, so plainly and resolutely gainesaid, even common sense will in such case teach any, that they ought to take good heed to their doings, and not at adventure to intrude themselves into that, which as yet they finde not to befall vnto them. The provocation that they haue therevnto, is in such examples as of that matter wee haue and in the experience that wee haue likewise of the great displeasure of God to divers of those, that haue neglected that point of duty. The examples that we haue are many, but few will serue to shew vs the way that in such case we are to follow: even David alone, if we heed him well; but we will adde some others vnto him besides. With David it was an vsuall thing, in matters of difficultie, not to meddle at all, neither one way nor other, vntill hee had first sought to the Lorde, and thence had taken his direction: and that not only in the time of his trouble; but also, when he was to enter into the possession of his Kingdome. In the time of his trouble we haue good instruction of this kinde in his example, first in helping certaine others: then in recovering a losse of his owne. Those others were the inhabitants of Keilah, whome the Philistines at that time beseiged. Whereof when tidings were brought vnto him hee first inquired of the Lord, whether hee should goe to help them or not, though it seemeth that himselfe would otherwise very gladly haue done it: and, when his company did cast some doubt of peril therein, hee then inquired of the Lord againe, before he would proceed therein. In
Keilah

Keilah likewise, when he had delivered the Cittie, and in reason might thinke, that now among them he might account himselfe reasonable safe: yet, vpon some doubt that himselfe conceiued, that as then, hee saw a storme to bee growing, he would not rest on his owne reason and good deserts therein; but inquired of the Lord againe, and so escaped a speciall danger. That losse of his owne that he was to recover, was, that whilst hee and the companie attended Achish King of Gath, to haue gone with him to battaile against Israel (a very great oversight in him) his owne Cittie Ziklag that the King had giuen him to sojourn in, was by the Amalakites takē in his absence, their wiues and children, and all that was therein taken away, and the Cittie it selfe consumed with fire. Whereat his company were so greeued at their returne (for they went not forward in that voiage, but were discharged and sent home againe, God providing much better for him) that when they found what losse they had therein, especially of their wiues & children, they were so impatiently greeued therewith, that they thought to haue stoned David their Captaine, as thē they were intraged against him. He therevpon againe inquired of the Lord, whether it would please him, that hee might bee avenged on those that had done him this wrong, & recover the pray againe or not: not resting on those perturbations, that the indignitie of that fact had kindled in himselfe and his men: but seeking vnto the Lord therein, and taking all his direction thence, Whē he was to enter into the possessiō of his kingdome, he observed (a wonder to see) the selfe same course. In so much, that when the kingdome was fallen vnto him by the death of Saul: yet did he not presently hasten vnto it; but first enquired of the Lord, whether hee should make

1b. 9. 12.

1 Sam. 35. 5, 6

1 Sam. 30. 7, 8

2 Sam. 2. 1.

Sect. 30.

1 Sam. 16. 1.
11.1 Sam. 17. 49.
52. 18. 6. 7.

18. 1. 1. 12. 1.

1 Sam. 30. 26
30.

his entrie vnto it or not. And whē the Lord had resolved him for that matter, and had given him leaue to goe and make his entrie vnto it, hee rested not there, leauing the rest to his owne affections or choice: but inquired further also, to what part of the kingdome hee should make his first repaire, and where hee shoulde begin his kingdome. And yet he was before anointed by Samuel the Prophet (and that by the commandement of God himselfe) to succeed Saul in the kingdome: and then presently therevpon in token of it, and to enable him therevnto, hee was endued with a speciall gift of the Spirit. Shortly after which, it pleased God to worke mightily by him in the overthrow of Goliath, & therewithall putting to flight the whole armie of the Philistines: and thereby not only to bring him vnto the knowledge of the people; but also in- to speciall great honour among them. When therevpon Saul began to conceiue hatred against him, and egerly to pursue vpon him to haue his life, he plainly found that God had preserued him stil, and oftentimes in wonderful manner: and had giuen him withall many secret friendes with whom he did sojourne when hee was chaced to and fro; of whom hee might well haue conceiued opinion, that seeing they stuck so farre vnto him in his aduersitie, they would now vndoubtedly haue knowne him in that his entrie into prosperity. In which case, even in the most moderate (that for the most part are among vs) flesh and blood would soone haue beene doing: insomuch that few there are, that would not haue resolved in theselues to haue made no further question, for matters of lesse importance then it. Those others that I thought good to adde vnto David, are these two: the Queen of the South; and Iehosaphat. The former of which had diuers hard que.

questions, & was wise her selfe besides; but yet she would not rest in her selfe, nor in any of her owne sages neither, but came vnto Salomon to be resolved. The latter was so carefull of this point also in an expedition against the Syrians, that even in those affaires hee craued, that first hee might inquire of the Lord, before they did set in hand therewith, & though the he had enough of Achabs Prophets, and all those agreeing in one, yet all those contented not him, till he had that one Prophet of the Lord that yet was left, that by him also they might inquire of the matter they had in hand. What experience wee haue of the great displeasure of God against those that neglect this point of their duty, is so plaine a thing in it selfe, that we need not to stand vpon it, it doth so plainely of it selfe appeare, as in many others, so namely in his iudgement against those two sons of Aaron, & in David too; but especially in one of his iudgements against king Saul. For howsoever the former were strange: yet was the last strangest of all. Those two sonnes of Aaron that now we speake of were Nadab and Abihu, who were then but newly entred into their office, and so not exercised therein before: and yet because that therein they offended (not by doing any thing against that which was prescribed, but only for not inquiring of a matter that was not giue them in charge, and which in reason they might haue thought it had not beene a matter of any such moment) they were both on the suddain destroyed with fire. Wherevpon that Moses doth charge them, that therein they did not sanctify the Lord, and that this iudgement did for that cause so fall vpon them, it may teach vs likewise, that it is over prophane dealing with God, and very dangerous vn to our selues, if wee doe not inquire of all such things as

What wrath
they may
feare, if so
they doe not

Lev. 10. 1, 2

Sect. 30.

2 Sam. 6.

2 Sam. 10. 8.

Ib. 1.

Ib. 2. 7.

Ib. 6.

Ib. 13. 2.

Ib. 13. 2.

Ib. 13. 2.

Ib. 13. 2.

Ib. 13. 2.

Ib. 13. 2.

concerne our duty to him, if otherwise they be not made plaine vnto vs. David was about to bring home the Ark of the Lord, which was little regarded in the daies of Saul, and to that end had gathered vnto him a great assembly, that so it might the better bee done: and yet because they did not wel heed, in what maner they did it, the Lord with a suddaine and fearefull stroake, dasht all that whole solemnitie of it. But the iudgement of Saul is, as I take it the strangest of al, for that he was reiectet for being king, for no other cause, then (according to the iudgement of some of the best, & as the Text it selfe doth seeme to import) but only for that he medled too soone, and did not awaite the Prophets coming, who was first to shew him what he should doe. For besides that this matter was (at least as the case stood then) a matter of State (wherein it is commonly thought that Princes may least haue regard to their Prophets) Saul was before, by the Prophet himselfe annointed vnto it, confirmed also by diuers signes; himselfe indued with a speciall gift of the holy Spirit likewise, wherby he was also inabled to prophesie; afterward chosen by lot in a speciall assembly of the estates; shortly after commended vnto the people by a victorie that hee had against the anointed, and therevpon by the whole armie acknowledged, being the aboute three hundred thousand: hauing nowe also tarried the time appointed, in a maner, even to the full, if not to the vttermost of it (for it is said that he tarried on Samuel seauen daies, according to the time that he appointed) & last of all being so strongly vrged as he was to haste so much as he did, his enemies lying so neere vnto him, and his men for feare dropping away so fast as they did, that vnlesse he had then addressed himselfe vnto his busines, hee was in danger to haue had

none

none to haue tarried with him. Whereas therefore wee haue on the one side so good examples, that lead vs to so carefull inquirie first, before we presume to determin whether soever the matter is any thing doubtfull; and on the other, so fearefull iudgements withall, on so many of those that haue neglected this point of duty: it may not iustly be doubted of any, but that hardly hee should bee able to discharge that point of duty to God, if in such sort hee should take the benefit of that Exception vnto him, as a sufficient warrant in that case to marry againe; though these were no more in it then this, that as yet it is not resolved, but is plainly in question, even among the learned themselves.

31 When therefore they condescended to this, that they must be better advised of it, to the end they may the better see how to determine, namely, how far they are to forbear it, so far as I see, they need goe no further, to find that they are not in such sort to take it, then only vnto these two points: first whether it may not well bee doubted, that they haue not some Scripture against it; then, if they had not, whether yet it were not inconvenient. That it may well be doubted, that they haue some Scripture against it (and that in large and plentiful measure) I account it to be so plaine in it selfe that I doe not thinke it needful to go any further, but only in breefe and short manner to point vnto it: and that, not onely, when regard is had to those places, that directly treat of that matter that is in question, and so are held by very many, as learned & godly as any others; but also, if recourse be had to some other places, which are more generall, and yet may specially bee applied to this likewise. Those that directly treat of the matter that is in question, and so are held by very many,

That they do nothing against other Scriptures, which in this case are strö against them

Such as directly treat of the matter in question.

Sect. 31.

Gen. 2, 23, 24.

Mar. 19, 4, 6.

Mar. 10, 4, 9.

1. Cor. 6, 16.

Eph. 5, 30, 31.

Rom. 7, 3, 3, 1.

Cor. 7, 39.

1. Cor. 7, 10, 11.

Those that
treate of it
but generally

as learned and godly as any others, are such as either set downe the nature of marriage, as God ordained the same at the first: or else do teach vs the nature of it, after that once it is so ordained. Those that set downe the nature of marriage, as God ordained the same at the first, are of two sorts: whereof one onely is the Originall; the others, are references therevnto. That which is the originall, is that knowne place in the second of Genesis, how God cast Adam a sleepe, tooke a rib out of his side, made a woman thereof, brought her to *Man*, and so ioined them both together. Of whome it doth immediatly follow, that shee was *bone of his bones, and flesh of his flesh*: and that, in respect of that so neere a coniunction (in that she was taken out of man, & to him delivered by God himselfe) *a man should leaue Father and Mother, and cleaue to his wife; and that they two should become one flesh*. Those others that are references therevnto, are divers, as namely that of Christ, wherein he repeateth the same againe, and then addeth therevnto, *whom God hath coupled together; let no man put asunder; and divers others elsewhere besides, which wee need not here to reckō*. Those that teach vs the nature of wedlock (I meane for this matter) after that once it is ordained, are divers likewise: as namely, when the Apostle teacheth, that the woman, *so long as her husband liueth, is tied vnto him &c*; and elsewhere likewise, that the wife may not depart from her husband, &c, nor the husband put away his wife. Which also wee neede not to gather together, for that there is no body that doth bring any of them against the doctrine that herein we are to set downe: but shun them rather, as altogether going against them; or, otherwise, when they are pressed with them, then seeke to qualifie them so well as they can. Those that (in this respect) are but

but generall, and yet may specially herevnto bee applied, are divers: some that concerne one point of our duty towards God; others, that concerne certaine duties of ours towards our neighbour. Those which concern one point of our duty towards God, are al such as reach vs ^a patiently to beare the crosse that he layeth on vs. Those that concern certaine duties of ours towards our neighbour, are of two sorts, some that reach vs, that wee be ready to ^b forgive him his offences to vs; others that call vpon vs to ^c bring on (so well as we can) to all Christian integrity, those whome God hath to our charge committed. Having therefore these Scriptures against them, and divers others such like as these, I see not how they can avoid it, but that they are hereby forbidden in such sense to take that Exception vnto them. For they both are one flesh, even in the neereſt ſociety of al coupled together by God himſelfe: and therefore not to bee ſundred by any, the wife to keepe to her husband ſo long as ſhee liveth, and the husband not to put away his wife. If by our vnadviſedneſſe before, or negligence after, or howſoever elſe, it ſo fall out, that herein God hath laid a crosse vpon vs, what better ſervice can wee in ſuch caſe doe vnto him, then truly, and quietly to beare it, til he be diſpoſed to eaſe vs of it? If therein there bee offences committed againſt vs, we knowe who it is that hath forbidden vs al revenge, and hath willed vs freely to pardon. If we haue an vntoward peece in our handes, to make any good workmanſhip of, yet if we doe our beſt indeavor, hee will hold vs excuſed; but not if wee caſt it out of our handes: and the worſe that any ſuch is, the more doth every ſuch party need, that the other ſhould deale accordingly with it, and the more worke may the other ſee, that God hath laid him

^a Mat. 11. 29.
10. 24.

^b Mat. 5. 39.

^c Pro. 24. 29.

Mat. 18. 22.

Luc. 6. 27.

1. Theſ. 5. 15.

^c Act. 30. 23.

Jude 20, 25.

Heb. 10. 25. 13.

23. 15.

Lev. 19. 17, 18.

1. 7. Theſ. 5. 15.

14.

Yea, vnto

the ſame

reſpect

Sect. 32.

him forth therein. So if we cast our eyes vnto these (either such as I haue thus breefly remembred, or any others that are of that nature) we are so far from finding any sufficient warrant at all, to that presupposed liberty of these warrants of ours, in such sense to take this exception we speak of, that we rather are flatly beaten, not only from hope of finding any helpe in these, but also, even from all expectation of it any where else.

The Inconuenience there
of to be such
as that onely
should stay vs

32 That if there were no Scripture against it, yet that it were not convenient for vs, I take it to bee, though disputed by some, yet so generally graunted almost by all, that whatsoever inward conceits diuers may nourish (for the common corruption of nature in vs, worketh, in that kind, strong & strange fancies in many:) yet outwardly, very few, or none of them all, will seeme to deny it. But then the truth is, that they pretend to haue this meaning withall, that thereby they would occasion the Magistrate to punish that sinne by death, so to make an end of this questiō betwixt vs: or else, that on him should rest the blame of such inconuenience. First therefore it shalbe good to consider, how inconuenient the thing it selfe would be among vs: then, how little cause there is, vnder such pretense, so far to take that liberty vnto them. How inconuenient a thing it would be with vs, may soone appeare, first in respect of the Publike cause of all: then in respect of certaine private persons besides. In respect of the publike cause of all, it would be an incōuenient thing with vs, partly for that we haue already taken other order amōg vs: but especialy, for the disorder that would come in vpon vs thereby. The other order that wee haue already taken among vs, is that part of the forme of our solēnization of marriage, whereby each partie is directed to

How many
waies it is in-
convenient.

take

take the other *for better, for worse*: which being the generall act of vs all, alloweth no particular persons so farre to breake it, or to call it in question, but that it concludeth such doing to be more, the any such may well set abroad among vs. The disorder that would come in vpon vs thereby is, that it would open too wide a gap to al discontented couples, to breake of, and to marry againe to their better liking (so long as we should haue no stronger restraint of that sinne among vs) and rather to commit the sin it selfe, being so easily punished with vs as it is, then otherwise to liue all their whole life in so great dislike. Those private persons, in whose respect it were inconvenient also, are themselves, and others. Themselves cannot liue therein, but at the least in doubtfull estate, not onely before men, but also before God: or rather, as notorious sinners, in the iudgement both of the most and the best. Those others are of two sorts: some, that are blemished; others, that are incumbred thereby. Those that are blemished thereby, are both those second wiues of theirs, and the children that by them they haue: the former of them being accounted no wiues but only adulteresses by law; and their children illegitimate also. Those that are incumbred thereby, are partly those to whome their lands or goods should of right descend, who by such dealing should haue their right very much incumbred: but especially, those discontented couples that before we spake of, who by a few such examples would be so tempted to doe the like, that hardly would they bee able to walke vprightly therein. How little cause there is, vnder pretense of that ordinance of God, to the childre of Israel, that the Magistrates there were appointed to punish adulterie with death, to defend their owne usurpation of that liberty, as though

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Sec. 32.

thereby they might drive the Magistrate to take that order here also, or else himselfe to beare the blame of it may sufficiently appeare in this, that themselves cannot but knowe, both that as yet wee haue not that law among vs: and that there is no greate likelyhood neither, that ever wee shall hereafter haue it. If as yet wee haue it not, then must wee needs forbear that liberty that now wee speake of, or else quickly bring all (for those matters) to greate confusion. That wee are not likely hereafter to haue it neither; it resteth on two principall groundes: one, the vnwillingnesse of all men generally to yeeld therevnto, though otherwise wee were never so free vnto it; the other, that wee are already intangled by one certaine let that is in the way. If all men generally bee so vnwilling to yeeld therevnto, though otherwise we were never so free vnto it (as most men will not sticke to acknowledge; and may appeare in the Israelites also, in that though it were so specially inioined to them, yet doe we not reade, that I remember, that ever it was put in execution among them) then, though the Prince himselfe would bee wil'ing, yet in what part of the world should wee find a people, that (the most parte of them: for such must they be, that any where lightly are allowed to make a law) would be ready to ioine with him therein? That other let wherewith we are already intangled, is the liberty that we take to our selues (and haue in some cases established the same by law among vs) of marrying children, especially VVards, & of making other disorderly matches in disparitie of yeeres, or condition, for landes or goods. Al which, so long as they stand (& they are not likely yet to fall) are likely enough, so to intreat for their owne estate therein, that it is not likely that the other shall ever get in
any

any foote among vs. If then it be not likely, that ever wee shall haue any such law, then the same reason that doth teach vs to forbear that praesupposed liberty of ours vntil we haue such law established, should teach vs likewise, altogether to forbear the desire of helping our selues thereby, when as wee are likely, never to haue it (in any good manner) allowed vnto vs. And then, what else maie we thinke that perswasion to be, but a special fetch of Satan, to bring in some special confusion, & to work much mischief among vs? And if there bee so great inconueniencie hanging thereon, not only the wise of the world do resolutely determine, that of two evils, the lesser is rather to suffer a mischief in some few particulars, than while they seek to relieue them, thereby to bring in an inconuenience to all: but even the Apostle also hath plainly tolde vs, that though things may bee lawfull, yet if they be not expedient or profitable, in that case also they are not to be attempted by vs; and besides hath given in himselfe an example of it. As Christ also (no doubt) himselfe, by the selfsame rule, governed himselfe in many of his speeches and actions: and in effect prescribed the same vnto others. In which respect *Abraham* did wel, to refuse that great boorie (even the spoile of all those cities, which for *Lots* sake he had recovered, and now by the law of armes was his) even onlie for that hee woulde not haue the inhabitants of those parts to take occasion to thinke that their substance had made him rich: beeing carefull to reserue the glory thereof, onlie to God, by whose onlie blessing indeede it was, that he was growne so mighty among them. Wherein also it is good to note, that in so doing hee pleased God so marvelous well, that by and by hee appeared vnto him, promising safetie from al his enemies (belike, especially in

1. Cor. 6, 12.

1. Cor. 8, 13.

Gen. 14, 22, 23.

Gen. 15, 1.

Sect. 33.

2 Sam. 23, 15.
17.

respect of those foure kings, whō now hee had so netled) and to be vnto him besides (in respect of the bootie, that in such respect he had refused) *an exceeding great rewarde.* *David* also in that respect did wel to refuse the water that was brought vnto him from the wel that was by *Bethlehem*, vnderstanding that three of his Captaines had put themselues in so verie great danger for it: though otherwise he was verie thirstie, and longed more for it than for others. Far vnlike therein to *Cleopatra* that dainrie & wanton queene of Egypt, who (like vnto herselfe therein) to satisfie her owne inordinate lust, did not sticke at once to sup of, in one draught, a iewel of inestimable price: of fifty thousand pounds, as some did valew it; but, of six hundred thousand, as others esteemed it. And even so these wantōs of ours, for a litle beastly pleasure of their own for a time, little regard what infinit hurt they do vnto others, by the example that they do giue them. So that, although the exceptiō might haue such sense, as to import, that in some case it might so be: yet, both we must needs be wel advised of it; & we must take heed that we never do it, either whē those aforesaid Scriptures may not wel beare it, or so oft as there is anie so greate inconvenience that hangeth thereon.

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33 Concerning that of the Apostle, who in some cases alloweth either of the parties (not onlie the man, but also the woman) to marrie againe, & therefore may seeme so much the rather to allow of this, we are first to cōsider onlie of so much of it, as belongeth to this that now wee speake of: then, of somewhat els besides, that commeth in by occasion of it. That which belongeth to this that now we speake of, resteth but in these two points: one, the Objection that is gathered thereon; the other, the answer that

that may be given it. The Obiection that is gathered thereon, is this: that seeing the Apostle doth so plainly allowe (in case of infidelitie) that if the partie that doth not beleue, wil forsake the partie beleaving, that in such things a brother or sister is not in bondage, or, must of necessitie be forced, to liue without the help of wedlock, therefore if in this the bond of matrimonie may bee so broken, that the party forsaken may marry againe, it should seeme to be much more likely, that by adultery the bond should be much rather broken. For answere wherevnto, I thinke we need no more but this, that there is not the like reason in the one, as in the other: whether wee respect the offense that is committed, or the inconvenience that redoundeth vnto the other thereby. The offense that is committed, is adultery, a very foul and great sinne, both odious to God, and exceeding grievous to man, even intolerable almost vnto many: in that forsaking that the Apostle speaketh of, an vtter breaking of of the knot of wedlock that was betwixt them, so far as in that partie doth lie. The former of which sometimes proceedeth but of infirmitie: the latter of them, is an hatred to Religion it selfe. Though therefore the Apostle allow the forsaken partie to marry againe, especially, when it is for hatred of the Truth, and where the other hath broken of already from the bond that was betwixt them: yet it may be, he would not allow (or at least it cannot hence be gathered, that *he would allow*) of marrying againe, where the party offending hath but only sinned against that holy ordinance, and therein was not purposed, nor yet is, to breake of from the other, and when that sinne (it may bee) was done by infirmitie also, and much provoked by some inordinate dealing of the other. The inconvenience that redoundeth vnto the o-

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Sect. 33.

ther partie thereby, is by such forsaking much greater (in this kind) then is that other of committing adulterie. For by such forsaking it commeth to passe, that the partie forsaken is altogether deprived, not onely of a comfortable fruition of the good things of wedlocke, but also of the things themselues: of that needfull preservation from sin; of children likewise, and mutuall help. But it is not so by adulterie, for that the innocent partie, notwithstanding it, may haue all those of the offender in some tolerable measure, though not in so good, and comfortable maner, as were expedient: he may haue that needful help to preserve him from sinne, and to accomplish divers of his affaires; and propagation of children likewise. If hee cannot take the benefit of anie such helpe of the other that hath beene so vnfaithfull vnto him, that is like enough to proceede but only of such perturbation of mind as some way casteth how to reveng, or cannot yet digest so great a displeasure done vnto him: which, indeed, is iustly deserved by the offendour; but not iustly entertained by the innocent partie, for that he which hath forgiven vs more, hath willed vs also, for his sake to forgiue. And therefore such perturbation is to be remoued or at least bridled: & not any cōcept thereon to be nourished, that now there can no such help be had of the partie offending. His children (I graunt) may be somewhat doubtful, whether they be his or not: but that is so general a case withall, that we must rather hold themselues contented with that general determination of law that by marriage doth make them theirs, (which also is their own act too) then suffer themselves to be so carried away from the opinion that they are theirs, by such suspicion as il likelyhoods may easily breed. Else, if any will needs be so peremptorie, let them

first

first shew, that their own discent is vtterly void of all suspicion of any such blemish, before they deale so strictly with others. Albeit therefore the Apostle allow of marrying againe, to such as vtterly are deprived of all such good things as by marriage God ordained for men: yet is there no reason, why any mā should therevpon gather, that the like liberty were likewise to be graunted to those that may haue the vse of those things in some tolerable measure, but so far as their owne troubled affections doe hinder them of it. That other thing that belongeth not vnto this that now we speake of, but ariseth by occasion of it, is that hence it seemeth to me we may haue a special good light, whereby we may see how to determin of one other point, that in all ages hath much troubled the learned, and yet doth: namely, for what causes divorce may be had, & marrying againe thereon allowed. For many there are (and those of special account withal) that allow of no divorce, but onlie for adulterie (and thinke that those that go any farther, do make themselues wiser than their Master) nor of marrying againe, but onlie in that of adulterie; and in this of being forsaken: others againe, that allow both of divorce and marrying therevpon for diuers other causes besides. In which extending of that libertie, there are of those that professe and teach the Gospel, that maie wel be doubted to go over far: as on the other side the Papists generally are for divorce so very liberall, that they without questiō stand in great need to be better shod for their so far over-reaching therein. But of this matter I meane not to treat: which would be sufficient it selfe to occupie another Treatise much greater then this. The thing that now I meane to deliver, is no more but this, that whereas the Apostle doth so plainly insinuate that:

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Sect. 34.

the party that is in such sort forsaken may marrie againe, and then doeth not altogether relie on that case neither, but taketh in some other withall, hence, it seemeth, may best be decided, in what cases it may be permitted to marry again: so that the rule be not in this point exceeded, to graunt it to such, as haue such vse of marriage already as need requireth. For we doe not here finde that the Apostle doth allow it to any, but only to such as otherwise were altogether deprived of it: and though hee take in *such* like withall, yet must we therein haue a good eie vnto the originall or patterne giuen, and not account any like vnto it, but only wherein the one of the parties is as much otherwise deprived of the vse or benefit of marriage, as in the case that the Apostle himselfe hath put. For howsoever diuers such there may bee, or at least some few, wherein it may be allowed to marry againe: yet certaine it is, that hauing none other Scripture for it but this we haue then no warrant at all to goe any further, or to extend that liberty to any other besides whatsoever.

The Conclu-
sion.

34 But as touching the main, if now we gather the cheefest and principall points together, of all that hether to hath beene said, what haue wee (to speake of) but only the opinion of diuers of the learned that way inclining? For the truth of the matter or any certaintie whereon to ground, what haue we else, but only a brittle shew of certaine places of Scripture, which for a while may seeme to be for vs: but so soone as ever they are examined, either plainly they turne to the contrarie side, or at least assure vs, that for any certaintie of that point of doctrine, for which we haue such recourse vnto them, get it where we can besides, but in them shall we never haue it. We hoped that Moses and Malachie too, would haue holpen vs
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WILLIAM SHAKESPEARE

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well, for divorce we had certaine others besides: but wee made most reckoning of these. Now we see, that not only those others, but even these also do giue vs over, and refuse to yeeld vs any help therein. Which divorce had they graunted vnto vs, wee had made no doubt at all, but they had in like sort allowed to marry againe: but now finding them so strong in the former; wee haue at all no hope of the latter. Even Christ also, we thought, did make no stay, not only at divorce (so it were for adulterie:) but, in that case also, not at marrying againe. But now wee see not, with what face wee may looke for any such liberty at his hands, when as we doubt it would fall out indeed, that if he should graunt so much vnto vs, hee should graunt vs more therein, then ever any other of his servants did, before, or since. Whereas therefore, his words may indeed haue another meaning, and such as agreeth with much other Scripture, wee doe not see, but that well, may wee doubt, that such sence as agreeth with much other Scripture, is a great deale more likely to bee his meaning, than that which standeth alone by it selfe, and hath nothing else in all the Bible neither in the old Testament, nor in the new, that accordeth with it. Being thus strongly held of by the Scriptures; or rather cleane abandoned by them, when therevpon we returne againe (as passing loath to be cleane put downe in this, if any way we might see how to help it) to that sorie helpe that remaineth, the iudgement of certaine of the learned, before remembred, to consider somewhat better of them, and to see if we haue not some further helpe in them, than yet wee conceiued (being so many as they are, and many of them so resolute in it, and in all their writings generally of so special account amōg vs) there finde wee first, that they all mistooke the Text it

Sect. 34.

selfe, out of which the first and principall part of all their opinio should haue derived the warrāt that they thought it to haue: and that diuers of the chiefeſt of them, haue themſelues ſo acknowledged ſince. If we looke ſomewhat further into them, then doe we in like ſort finde, not only that therein they goe againſt the vniverſall opinion of all others therein (that long hath ſtood in the Church of Chriſt, even frō the beginning, for the only truth of that point of doctrine) and againſt the practice in gouernmēt of this Church of ours, and of all others almoſt beſides: but alſo, that themſelues giue vs in ſo weake reaſons why they thought good to ſide themſelues to that opinion, & ſuch Proteſtations withall, the better to obtaine to be excuſed for that they goe ſo farre therein; and when they are in the matter it ſelfe, ſo many of their proofes for that they affirme ſo very ſlender, and ſo inconueniēt ſpeeches withall (boading ſuch impatiencie, that they may ſeeme to ariſe of the weakneſſe of the cauſe it ſelfe) that if wee well aduiſe our ſelues what comfort it is that there wee haue gotten, wee hardly finde any thing throughout the whole that will afford vs any one peece of warrant, to entertaine any ſuch conceit, for never ſo ſmal a portion of time, or to giue it ſo much as one nights lodging. The remaine then wil be none other but this, that our ſelues are carried ſo ſtrongly away, with our owne vnbridled affections (with an hote deſire, either of change, or of revenge and ſometime with both) that it was an eaſie matter, for parcialitie and error in others, to ſettle vs in that conceit, we being loath (for feare of diſturbinge our peace therein) to fall to any iuſt examining of them. God giue vs grace that howſoever in all things we daily offend, by our common infirmitie, and great corruption that yet abideth; yet

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we may so far abandon all fleshly lusts, that thereby wee grow not to bee so foule staines in the Church of God, nor so perilous examples to others: especially those, that haue an vnfained care to serue him indeed, or, no more but professe the truth of the Gospel.

FINIS.

Y 3



ANOTHER NOTE FOR THE
Reader.

THis former Treatise being thus finished, yet is there one thing more (gentle Reader) that farther I am by late occasion, to impart unto thee: nothing at all appertaining to the matter before; but only for that it lighteth on the time of the publishing of it. The matter is no more, but this.

I have already divers times heard, that certaine of the favorites of R.P. (the supposed Author of the Resolution) would not beleue that I had made any answere unto him for such matters, as hee, in the preface of his second edition of the same (which was, 1585) had charged me withall. And for these, I contented me selfe to let the Understand, that I had answered him many yeeres before: as it is knowne wel enough I had done (so far as an whole Impression might serue to witnes it) now about twentie yeeres since.

But now of late I perceiue, that himselfe also doth not take with his Answere, or will not be acknowne of it: & this doe I gather, for that nowe (a fewe daies since) I finde, that having set forth that Book again, but about two yeeres past (namely, 1607) and having altered it againe from that it was before (but the first, it may be, will ever proue the best) he neuertheles chargeth me a fresh, with many of those stale matters, answered so manie yeeres past already; but maketh no mention of that mine Answere.

Seeing therefore I came to the knowledge hereof, when this other was yet under the Presse, I thought it good herewithall to wish this to be marked, that seeing that answer of mine was given forth and published, in the yeere of our Lord 1589; & that since I never heard any thing fro him of the same, & that now he wraglet a fresh about some of those his stale matters again,
and

Another matter.

and so grossly (though warily enough on his own behalfe) dissemble mine Answer to them and the rest: that all good & orderly dealing (of such a kind) was the somewhat far to seeke in him.

I make no doubt, but that there (in that mine Answer) he noted much more to be objected, than any way hee was able well to answer (especially, the great uncleannes of all that crew generally: their bad dealing with the Fathers, and so many slips of his owne withall:) and that therefore he would rather see, if, for a flourish, he could not cull out something of his former matters to gibe at againe, to be in lew or steed of some iust Reply, so long expected. But plaine dealing is ever the meekest for all those that stand for the truth: and so base shifting, much more sutable to the desperate weaknesse of the cause that he hath in hand.

And if any man shall lay therevnto his bold promise of those other two parts, of that which now he calleth his Directorie, & therein how many yeeres he hath beene hammering about it, & yet could never get out of the first part neither, and the seconde time made it worse than before (even in the iudgement of his owne favourits:) the lesse that this third time also he hath nowe againe answered their expectation, the more may such a man see, what hope he may nourish in himselfe; as touching those others. But me selfe conceived long since (and so did reasonable plainely tell him) that it was not in him to doe, as then he did beare the world in hand: namely, to frame such other two parts, as should be of that argument, and yet sutable to that, which hee had elsewhere borrowed to the first part of it.

An other there is, one Radford by name, a fowle of that feather, who in certaine discourses of his of other matters, published in the yeere 1599, hath beene something chattering against me likewise, in the quarrell of his fellow R.P. before. & yet none otherwise but like to himselfe. Of who notwithstanding I haue already said something somewhat more specially, in a larger

Another matter.

Discourse of mine, which now (God willing) next unto this, & so but a few daies hence, I trust, is to come to the Presse: and so saie I no more of that matter now. Yet that no man deceiue his expectation therein, both it is but towards the end of that larger Treatise: and, as hee, in those his other discourses doth no more, but as it were, by the way, take his pleasure on me; so I likewise, following the suit, or, in such like manner, doe giue him his answer.

So now againe (gentle Reader) I commend thee to God. Oxford, Iune, 22. 1610.

EDM. BUNNY.



THE ALPHABET TABLE: WHEREIN, not only the principall Matters, but also the Scriptures themselues, and the other Authorities do come in, in Alphabet order.

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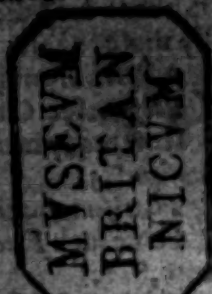
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